INVESTIGATION OF COMMUNIST ACTIVITIES IN THE YOUNGSTOWN AND NORTHERN OHIO AREAS

UNIVERSITY
OF MICHIGAN

FEB 21 1957

MAIN
READING ROOM

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-FOURTH CONGRESS

SECOND SESSION

NOVEMBER 26 AND 27, 1956

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

SEC. 121, STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American Activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make, from time to time, investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress:

* * * * * * *

(*q*) Committee on Un-American Activities, to consist of nine members.

* * * * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE YOUNGSTOWN AND NORTHERN OHIO AREAS

MONDAY, NOVEMBER 26, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Youngstown, Ohio.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess, in the United States District Court Federal Building, Youngstown, Ohio, Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Committee members present: Representatives Edwin E. Willis of Louisiana and Harold H. Velde of Illinois.

Staff members present: Richard Arens, director; George C. Williams, investigator; and Richard S. Weil, staff member.

Mr. WILLIS. The subcommittee will be in order.

This morning a subcommittee of the House Committee on Un-American Activities, composed of Representative Velde, of Illinois, and myself, Edwin E. Willis, of Louisiana, as chairman, begins an inquiry into the activities and organizations of the Communist Party in the Youngstown and northern Ohio area.

Youngstown and its neighboring areas are vital industrial centers of the United States and one of the most important targets of the Communist Party. The Committee on Un-American Activities has been investigating the operations of the Communist conspiracy here for a number of months. Some aspects of these Communist operations have been disclosed in the Smith Act trials in Ohio, but our investigation has brought to light activities of a nature far more sinister and far more extensive than those dealt with in the trial.

It is our purpose now to hear testimony on the various phases of the Communist Party activities in this area with emphasis upon the techniques of subversion, infiltration, and propaganda. The recent events in Hungary have demonstrated again, if indeed any new demonstration was necessary, that the menace of communism is a continuing one.

It remains of vital concern to us, regardless of how supposedly "sweet and reasonable" the Kremlin and its henchmen throughout the world may try to appear at any given moment. The goal of international communism is world domination. It seeks to accomplish this by duplicity and guile if possible, by brutality and savagery if necessary.

As long as this threat remains—and it will remain as long as communism itself remains—there can be no relaxation in the efforts of this committee at least, and other appropriate organs of the Government, to combat the operations of the Communist Party and those who do its bidding.

The first 2 days of our hearings will deal with the Communist Party organization and underground activities in Youngstown, northern Ohio, and western Pennsylvania. The third day will deal with Communist political subversion.

The committee has already begun hearings on this particular subject, political subversion, in Washington as part of its investigation of the national efforts of the Communist conspiracy to destroy the legislative and executive programs designed to thwart it.

In this series of hearings, we are continuing our appraisal of the various anti-Communist laws, their effectiveness in dealing with the ever-changing Communist menace, and what, if any, amendments are needed in the national interest.

To my right is Representative Velde, of Illinois, former chairman of the full House Committee on Un-American Activities.

I am wondering, Mr. Velde, if you would want to supplement anything I have said.

Mr. VELDE. Thank you, Mr. Chairman, I do not think I have anything further to add, except that I am very happy to be here sitting by your side and hope that our hearings here are very successful in getting new information concerning the Communist conspiracy.

Mr. WILLIS. Our counsel, Richard Arens, will proceed.

You may call your first witness, Mr. Counsel.

Mr. ARENS. Mr. Howard Van Kleef will kindly come forward.

Please remain standing while the chairman administers an oath to you.

Mr. WILLIS. Will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VAN KLEEF. I do.

TESTIMONY OF HOWARD VAN KLEEF, ACCOMPANIED BY COUNSEL, JACK G. DAY

Mr. ARENS. Please be seated, Mr. Van Kleef.

Please identify yourself by name, residence, and occupation.

Mr. VAN KLEEF. Howard Van Kleef, 2503 Scarsdale Avenue, Cleveland, Ohio. I am a pipefitter.

Mr. ARENS. You are appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. VAN KLEEF. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. VAN KLEEF. I have a counsel with me.

Mr. ARENS. Will you kindly identify yourself, counsel?

Mr. DAY. My name is Jack G. Day. My office is at 816 Standard Building, Cleveland, Ohio.

At this moment, Mr. Counsel, may I ask one question? I realize the limitations of my function here, but can we raise objection to the

quorum? I am not aware of what a quorum is, but to save my rights and my client's rights, I would like to raise objection to the presence of a quorum.

Mr. WILLIS. You may note your thoughts. The fact of the matter is that there is a quorum under the rules of the House and under the rules of this committee.

Mr. DAY. My objection is noted, then.

Mr. ARENS. Will you kindly tell us where and when you were born?

Mr. VAN KLEEF. I was born in New York City, February 19, 1924.

Mr. ARENS. Please give us a word about your education.

Mr. VAN KLEEF. Public school and 3½ years of high school.

Mr. ARENS. When did you complete your education?

Mr. VAN KLEEF. Around 1939.

Mr. ARENS. And where was that?

Mr. VAN KLEEF. In New York City.

Mr. ARENS. Now tell us, if you please, sir, the principal employments which you have had since you concluded your formal education.

(Witness confers with counsel.)

Mr. VAN KLEEF. I am now working at the Republic Steel Co., Cleveland.

Mr. ARENS. What was the first employment you had after you concluded your formal education in the high school?

(Witness confers with counsel.)

Mr. VAN KLEEF. I assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. Where were you living when you concluded your formal education?

Mr. VAN KLEEF. I assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. Perhaps you did not understand the question. I asked you where you were living when you concluded your formal education.

Mr. VAN KLEEF. In New York City.

Mr. ARENS. And when was it that you concluded your formal education? 1939 I believe you said.

Mr. VAN KLEEF. I believe it was.

Mr. ARENS. Then how long did you live in New York City?

Mr. VAN KLEEF. Well, do you mean how long did I live in New York City?

Mr. ARENS. Yes, sir.

Mr. VAN KLEEF. Until about 1949.

Mr. ARENS. And then where did you take up residence?

Mr. VAN KLEEF. In Cleveland.

Mr. ARENS. And do you recall the address that you had in Cleveland, the home address?

(Witness confers with counsel.)

Mr. VAN KLEEF. I will assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer that question.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I still assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. How long did you live in Cleveland?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I assert the privilege of the fifth amendment and the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question. I do not see what incrimination could be involved.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. Where was your next residence after your residence in Cleveland?

Mr. VAN KLEEF. I assert the privileges under the fifth amendment and the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that at his peril this witness be ordered and directed to answer that question.

Mr. WILLIS. What was the question?

Mr. ARENS. Kindly read the question back.

(The pending question was read by the reporter.)

Mr. WILLIS. And his answer was the invocation of the constitutional amendments?

Mr. ARENS. Yes.

Mr. WILLIS. Yes; I direct you to answer that question. In order to invoke the privilege of the fifth amendment, you must have the honest fear that to answer a particular question could subject you to criminal proceedings. Otherwise you are not honestly invoking it, and if you are not, then the pain or penalty is contempt. That is why I want to explain it to you.

When counsel suggests that I should order you to answer the question, it is very significant that you are on very flimsy grounds, to say the least, in connection with your invocation of the fifth amendment.

I just want to make that statement, which I will not repeat, for your own protection.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I reassert my privilege under the fifth amendment, and my reason is that I do not know what untruths might have been told about me or what periods they cover.

Mr. VELDE. May I inquire, Mr. Chairman?

How could giving your residence address in any way incriminate you?

Mr. VAN KLEEF. I believe some untruths may have been told about me, and I feel that I have to use the fifth amendment and that I do not intend to incriminate myself.

Mr. VELDE. If some untruths have been told about you, sir, now is the time to answer those attacks that have been made.

Mr. VAN KLEEF. I reassert my privilege under the fifth amendment.

Mr. VELDE. You decline to answer the question?

Mr. VAN KLEEF. Under the privilege of the fifth amendment; yes, sir.

Mr. ARENS. How long have you lived at your present address?

Mr. VAN KLEEF. About a year.

Mr. ARENS. And where did you live immediately prior to your present address?

Mr. VAN KLEEF. I will assert the privilege of the fifth amendment to that question.

Mr. ARENS. How long have you been employed at your present occupation?

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. The record also reflects that he has told us he works in some industrial establishment. Is that correct?

Mr. VAN KLEEF. I did not tell you where I worked.

(Witness confers with his counsel.)

Mr. VAN KLEEF. Excuse me.

Mr. WILLIS. You said you were a pipefitter somewhere.

Mr. ARENS. Republic Steel.

Mr. VAN KLEEF. Yes. That is my mistake.

Mr. ARENS. Tell us how long you have been engaged at Republic Steel.

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment.

Mr. ARENS. I want the record, if you please, Mr. Chairman, to reflect an order for this witness to answer the question as to how long he has been engaged at Republic Steel.

Mr. WILLIS. You are ordered to answer the question.

Mr. VAN KLEEF. I will reassert the privilege under the fifth amendment because I do not know what untruths have been told about me or what periods they cover.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. VAN KLEEF. I will reassert the privilege of the fifth amendment to that question, and the first amendment.

Mr. ARENS. Do you honestly apprehend, Mr. Van Kleef, that if you told this committee what your employment was immediately prior to your present employment, you would be supplying information which might be used against you in a criminal proceeding?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will reassert the privilege of the fifth amendment——

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered to answer the question. The purpose of the question, I state for the record, is to ascertain——

Mr. WILLIS. You are most certainly ordered to answer.

Mr. VAN KLEEF. I reassert the privilege under the fifth amendment.

Mr. WILLIS. You were about to state the purpose of it, Mr. Counsel. Let us let the record be perfectly clear.

Mr. ARENS. The purpose of the question is to ascertain whether or not the invocation by this witness of the fifth amendment is done with an honest apprehension, an honest fear, or whether on the other hand, it is being used as a device solely and exclusively to pervert the purposes and objectives of this committee; whether it is being used facetiously, capriciously, or whether it is invoked in good faith.

Therefore, I should like this record absolutely clear, Mr. Chairman, that the witness be ordered and directed to answer the last question, namely, does he honestly apprehend that if he told the committee the truth as to his occupation prior to his present occupation, he would be supplying information which could be used against him in a criminal proceeding.

Mr. WILLIS. You are ordered to answer the question.

(Witness confers with his counsel.)

Mr. VAN KLEEF. All my answers that I have given here have been given honestly and I understand that the privilege protects the innocent as well as the guilty.

Mr. ARENS. Then tell this committee whether or not you honestly feel that if you told this committee what your occupation was immediately prior to your present occupation at Republic Steel, you would be supplying information which might be used against you in a criminal proceeding.

(Witness confers with his counsel.)

Mr. VAN KLEEF. Well, all my answers are honestly given.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the last principal question.

Mr. WILLIS. On the last question, you are just being evasive.

Mr. VAN KLEEF. I reassert my privilege under the fifth amendment.

Mr. ARENS. What other occupations have you had in the course of the period of time since the completion by you of your formal education?

Mr. VAN KLEEF. I assert my privilege under the fifth and first amendments.

Mr. ARENS. Are there any occupations in which you have been engaged since you completed your formal education, concerning which you could tell this committee without supplying information which could be used against you in a criminal proceeding?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Are you now a member of the Communist conspiratorial underground?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you are presently a leader of the underground apparatus of the Communist conspiracy in the State of Ohio.

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. You recognize, do you not, that you are presently under oath and would be subjected to the pains and penalties of perjury if you denied, while you are under oath, membership in an organization of which you were a member?

You recognize that fact; do you not?

(Witness confers with his counsel.)

Mr. VAN KLEEF. Well, I am asserting the privilege under the fifth amendment.

Mr. ARENS. Do you recognize that you are presently under oath? Just answer that question and we will see whether or not you are invoking the fifth amendment facetiously or capriciously.

Do you recognize that you are presently under oath?

Mr. VAN KLEEF. Yes.

Mr. ARENS. And do you recognize that if you lie while under oath, you can be proceeded against criminally for lying under oath?

Mr. VAN KLEEF. Yes.

Mr. ARENS. Do you, after you have been released from the pains and penalties of the oath before this committee, expect to step out into that hall and announce to the world, "Of course I am not a Communist. Of course I am not a member of the Communist conspiratorial underground, but I am not going to tell that witch-hunting committee that fact." Is that your intention? Is that what you expect to do?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I don't intend to make any statements whatsoever about the committee, and I don't make any judgment of the committee.

Mr. ARENS. Do you know a man by the name of Joe Kamen?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Do you know a man by the name of Paul Stone?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Mr. Witness, did you ever live at 560 West 107th Street in Manhattan?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. What was your address in New York City where you told us you had lived for a while.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. I lay before you now, or cause to be laid before you, a reproduction of the application for employment at Republic Steel by one Howard Van Kleef and this has been supplied to the committee in a proper manner by the management of that corporation.

Tell us whether or not that is a true and correct reproduction of the facts respecting your employment record.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I assert the privilege under the fifth amendment.

Mr. ARENS. Were you directed to make application at your present job by a person known by you to be in the Communist conspiratorial apparatus?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact, sir, that you have an assignment by the Communist conspiracy to colonize in the heavy industry section of the United States known as the industrial section, the Youngstown-Pittsburgh area.

Mr. VAN KLEEF. I assert the privilege under the fifth and first amendments on that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which has been laid before the witness be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. Let the document be so marked and incorporated.

(The document referred to was marked "Van Kleef Exhibit No. 1" and filed for the information of the committee.)

Mr. ARENS. In the presence of this witness, I respectfully suggest that another witness be sworn, Mr. Chairman.

Mr. David Garfield, would you kindly come forward?

Please remain standing and, after you have been sworn, have a seat over here, please.

Mr. WILLIS. Will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. GARFIELD. I do.

TESTIMONY OF DAVID W. GARFIELD

Mr. ARENS. Kindly give us a brief identification of yourself by name and residence.

Mr. GARFIELD. My name is David Garfield. I live in Canfield, Ohio.

Mr. ARENS. Mr. Garfield, I expect in the course of the morning hour to interrogate you extensively on certain matters. For the present, however, I should like to ask you just a few elemental questions.

First, have you ever been a member of the Communist Party?

Mr. GARFIELD. Yes, I have.

Mr. ARENS. Over what period of time were you a member of the Communist Party?

Mr. GARFIELD. From 1941 until 1952.

Mr. ARENS. Mr. Garfield, during the course of your membership in the Communist Party, in what area did you operate?

Mr. GARFIELD. In Youngstown, Canton, and Cleveland.

Mr. ARENS. During the course of your membership in the Communist Party, did you have occasion to know a person as a Communist by the name of Howard Van Kleef?

Mr. GARFIELD. Yes, I did.

Mr. ARENS Tell us the circumstances of your knowledge of his membership in the Communist conspiracy.

Mr. GARFIELD. I stayed at his house for a period of 2 or 3 months.

Mr. ARENS. And where was that?

Mr. GARFIELD. In Cleveland.

Mr. ARENS. Do you see in the courtroom today, the person who was known by you to be a member of the Communist Party by the name of Howard Van Kleef?

Mr. GARFIELD. Yes.

Mr. ARENS. Would you kindly point him out to this committee?

Mr. GARFIELD. He is sitting at the table here.

Mr. ARENS. Is he the second person to your right?

Mr. GARFIELD. Yes.

Mr. ARENS. Is he the gentleman who has just been testifying?

Mr. GARFIELD. Yes.

Mr. ARENS. What was your name in the Communist Party? What party name did you use?

Mr. GARFIELD. I used several. I believe I was using Paul Stone at that time.

Mr. ARENS. Have you ever served in a closed Communist Party session with Howard Van Kleef?

Mr. GARFIELD. Yes.

TESTIMONY OF HOWARD VAN KLEEF—Resumed

Mr. ARENS. Now, Mr. Van Kleef, look at the gentleman who has just testified. Look him in the face. He is the man who has told this committee under oath that he knew you as a member of the Communist Party.

Look him in the face and deny it, if you would, please, while you are under oath.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Was Mr. Garfield lying or was he telling the truth a few moments ago when he said he knew you as a member of the Communist Party?

While you are under oath, please answer that question.

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Mr. Garfield, was Mr. Van Kleef in the Communist underground in this area when you knew him?

Mr. GARFIELD. That I wouldn't know specifically. He was in the party, but I was in the underground and our specific assignments we did not discuss with each other.

Mr. ARENS. Do you know or have you ever known, Mr. Van Kleef, a man by the name of David Garfield?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Did you know or have you ever known a man by the name of Paul Stone?

Mr. VAN KLEEF. I assert the privilege under the fifth and first amendments.

Mr. ARENS. Do you know or have you ever known a man by the name of Frank Williams?

Mr. VAN KLEEF. I assert the privilege under the first amendment and the fifth amendment.

Mr. ARENS. What was the purpose of your transfer of residence from New York to Cleveland, Ohio?

Mr. VAN KLEEF. I assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you were sent into the Midwest, to Cleveland, Ohio, from New York City by the Communist conspiracy to head up colonization in this industrial area and if it is not true, deny it while you are under oath.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. WILLIS. Mr. Counsel, may I ask a couple of questions?

Mr. ARENS. Certainly, sir.

Mr. WILLIS. You said a while ago that one of the reasons for failing to answer questions and to invoke the privilege of the fifth amendment was that you did not know who may have lied about you, what was said about you, and the period of time during which it might have been said.

That statement of yours is just about the pattern of what we hear before this committee. I hear witnesses time and time again shout, particularly after they leave or after they get out of the courtroom, that their accusers do not confront them; that you don't know who might have gossiped against you; that ghost witnesses are used by this committee and that we are asking embarrassing questions without foundation.

This gentleman on your left here, is very much a live witness. He has just taken an oath; and he is just as bound by that oath as you are, namely, that if he does not tell the truth, as if you do not tell the truth, you are both subject to the pains and penalties of the laws of perjury.

Now, I ask you to once more look at this man and tell us if he is one of those you had in mind when you said you do not know who might lie about you. If he is the one, stand up like a man and say, "He is lying," and that you are telling the truth.

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. At your residence in Cleveland, do you live in a house or an apartment? What is the nature of the establishment in which you live?

(Witness confers with his counsel.)

Mr. VAN KLEEF. It is a house.

Mr. ARENS And how long have you had that house?

Mr. VAN KLEEF. I rent there. I don't have it. I have lived there for a year.

Mr. ARENS. What was your residence immediately prior to your present residence in this house?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will assert the privilege of the fifth amendment and the first amendment.

Mr. ARENS. In the course of your residency in Cleveland, have you had regular, overnight visitors from various parts of the country who used your house to sleep in for a day or so, to relax in?

Mr. VAN KLEEF. I will assert the privilege under the fifth and first amendments.

Mr. ARENS. Your house in Cleveland has been used as a stopping-off point for the underground in this Nation; is that not true? If it is not, deny it while you are under oath.

Mr. VAN KLEEF. I will assert the privilege under the fifth and first amendments.

Mr. ARENS. Garfield, while he was a member——

Mr. WILLIS. Is it not a fact that the reason why you have not told us the various places you have lived is because of your connection with the underground apparatus?

Mr. VAN KLEEF. I will assert the privilege under the fifth and first amendments.

Mr. ARENS. Have you ever been a member of a labor organization?

Mr. VAN KLEEF. Pardon me?

Mr. ARENS. Have you ever been a member of a labor organization?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment.

Mr. ARENS. You are a member of the steelworkers, are you not?

Mr. VAN KLEEF. I will assert the privilege under the first and fifth amendments.

Mr. WILLIS. I think that is an insult to your labor organization. Would you not tell us if you belonged to a labor organization? Have you any possible fear of consequences by belonging to a reputable labor movement such as you have here?

Mr. VAN KLEEF. I will assert the privilege under the fifth amendment and the first amendment.

Mr. ARENS. Please tell us specifically, what you do at Republic Steel? What is your job for which the corporation pays you?

(Witness confers with his counsel.)

Mr. VAN KLEEF. I am a pipefitter.

Mr. ARENS. What else do you do, if anything, at Republic Steel besides pipefitting? Is there any other activity in which you are engaged?

Mr. VAN KLEEF. I am a pipefitter. That is all.

Mr. ARENS. Is there any other activity in which you engage at the plant?

(Witness confers with his counsel.)

Mr. VAN KLEEF. Well, I will assert the privilege under the fifth amendment on that question.

Mr. ARENS. How many people in the course of the last 5 years have you recruited into the Communist Party underground?

Mr. VAN KLEEF. I will assert the privilege under the fifth and first amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. Are there any other questions?

Mr. VELDE. Just 1 or 2, Mr. Chairman.

I suppose you have been reading about the revolt in Hungary; have you not?

Mr. VAN KLEEF. Yes; I read the papers.

Mr. VELDE. Whose side are you on in that revolt, Soviet Russia's or the rebels'?

(The witness confers with his counsel.)

Mr. VAN KLEEF. I am on the rebels' side.

Mr. VELDE. Then, in view of the fact that you are on the rebels' side—I think we all are here—why can you not answer the questions put to you which would help the rebels?

(The witness confers with his counsel.)

Mr. VAN KLEEF. Well, I will assert the privilege under the fifth and first amendments, sir.

Mr. ARENS. Are you a member of an organization controlled by the Kremlin in Moscow?

Mr. VAN KLEEF. I will assert the privilege under the fifth and first amendments, sir.

Mr. VELDE. Mr. Chairman, I just want to say one thing more. From the witness' appearance and demeanor before this committee, I am satisfied that he bears watching by the duly constituted authorities. I do not think he is on the side of the rebels. I think he is on the side of Moscow, the Soviets.

Mr. WILLIS. Will that conclude the examination?

Mr. ARENS. Yes, sir.

Mr. WILLIS. Very well.

Mr. ARENS. Mr. Chairman, if you please, I would like to ask Mr. Garfield to move to the principal witness chair and resume his testimony.

Mr. DAY. May I inquire, Mr. Chairman, if the witness is released now?

Mr. WILLIS. Yes.

Mr. DAY. Thank you, sir.

TESTIMONY OF DAVID W. GARFIELD—Resumed

Mr. WILLIS. This witness has already been sworn?

Mr. ARENS. Yes; the witness has been sworn and, as the record will show, we asked him a few elemental questions, particularly with reference to the Communist Party membership of the preceding witness, Mr. Howard Van Kleef.

Mr. Garfield, would you kindly repeat the dates of your membership in the Communist Party so that the record reflects those dates in your principal testimony?

Mr. GARFIELD. Well, I joined the YCL in 1937——

Mr. ARENS. What is the YCL, the Young Communist League?

Mr. GARFIELD. The Young Communist League; yes.

Mr. ARENS. For how long?

Mr. GARFIELD. I was in that until I got old enough to join the party in 1941, at which time I joined the Communist Party and was in it until 1952.

Mr. ARENS. And where were you living at the time you joined the Young Communist League and subsequently joined the Communist Party?

Mr. GARFIELD. Youngstown, Ohio.

Mr. ARENS. I should like to ask you, if you please, where you were employed when you first joined the Communist Party?

Mr. GARFIELD. Well, I was going to school when I joined the YCL. The first job I had was at the Youngstown Sheet & Tube.

Mr. ARENS. How many members were there in the Young Communist League when you were a member of that organization?

Mr. GARFIELD. That goes back a few years.

Mr. ARENS. What is your best recollection, your best estimate, of the aggregate membership?

Mr. GARFIELD. I think we had 400 here at one time. In the later years, I think 200 would probably be a better estimate.

Mr. ARENS. I should like to have you, if you please, just give us your career in the Communist Party, with particular reference to the various entities of the Communist Party to which you were attached during your residence here in Youngstown. I should like if you please, sir, for you to start with the Youngstown section-level committee. Were you identified with that particular entity of the Communist Party?

Mr. GARFIELD. You say "the entity." Do you mean who comprised it?

Mr. ARENS. Were you ever identified with the Youngstown section-level committee?

Mr. GARFIELD. Yes, I was on the Youngstown section from 1946 until I left in, I believe it was, the fall of 1948.

Mr. ARENS. And kindly tell us, first of all, what was the Youngstown section-level committee?

Mr. GARFIELD. The section committee is the body which directs and sets the policy for the party in that section.

Mr. ARENS. What was your particular assignment or function on the Youngstown section-level committee?

Mr. GARFIELD. I was the chairman and organizer for the group.

Mr. ARENS. If you would please, give us a word of your educational background which would qualify you for that assignment.

Mr. GARFIELD. I graduated from high school and after being in the Army, I started attending classes at Youngstown University.

Mr. ARENS. You are an engineer by profession?

Mr. GARFIELD. Yes.

Mr. ARENS. To your certain knowledge, were any members of the Youngstown section-level committee Communists?

Mr. WILLIS. Those are committee members?

Mr. ARENS. Yes, sir.

Mr. WILLIS. All right.

Mr. GARFIELD. Well, Andrew Onda, of course, was organizer of the Communist Party at that time.

Mr. ARENS. Where is he now?

Mr. GARFIELD. I believe he is in prison.

Mr. ARENS. He was a Smith Act defendant; was he not?

Mr. GARFIELD. Yes.

Mr. ARENS. All right.

Mr. GARFIELD. There was Ellsworth Jackson, who was the organizational secretary of the party in Youngstown. I have no idea where he is. Bob Hamilton was a member of the section committee and his wife Mildred Hamilton.

Mr. ARENS. Where is he now, do you know?

Mr. GARFIELD. No; I don't.

I was a member of the section committee. Eric Reinthaler.

Mr. ARENS. Where is he now?

Mr. GARFIELD. I don't know. The last time that I saw him was in Cleveland.

Sid Rackoff was a member of the section committee and his wife Betty Rackoff.

Mr. ARENS. Do you know a person by the name of Joe Kamen?

Mr. GARFIELD. Yes. Joe Kamen was a member of the section committee. He later moved to Cleveland.

Mr. ARENS. How about his wife Theresa Kamen?

Mr. GARFIELD. His wife was also a member.

Mr. ARENS. And do you know a person by the name of Bud Ehrhart?

Mr. GARFIELD. Yes. Bud Ehrhart was a member of the section committee.

Mr. ARENS. Do you know Elmer Grandstaff?

Mr. GARFIELD. Yes. Elmer Grandstaff was a member of the section committee.

Mr. ARENS. What groupings did they have during your membership in the Communist Party within the Youngstown area? Did they have a group at Republic Steel?

Mr. GARFIELD. Yes, we had a group at Republic Steel.

Mr. ARENS. Who was chairman of that group, do you recall?

Mr. GARFIELD. Yes. That was Eric Reinthaler.

Mr. ARENS. And by these groupings, we are referring to groupings of people who were known by you to be Communists, is that understood?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was another leader of the Republic Steel group during your membership? Was Elmer Grandstaff identified with Republic Steel?

Mr. GARFIELD. Yes. He was working in Republic Steel at that time.

Mr. ARENS. Was there a Youngstown Sheet & Tube group?

Mr. GARFIELD. Yes, there was a Youngstown Sheet & Tube group.

Mr. ARENS. Who headed that?

Mr. GARFIELD. Bob Hamilton.

Mr. ARENS. Robert Hamilton?

Mr. GARFIELD. Yes.

Mr. ARENS. Can you identify anyone else with the Youngstown Sheet & Tube group?

These are all entities within the Communist conspiracy within the Youngstown area, is that correct?

Mr. GARFIELD. Yes.

Mr. ARENS. Was Eli Nadrich connected in any way with the Youngstown Sheet & Tube group?

Mr. GARFIELD. Yes, I believe he was although I think he worked at another plant rather than the Youngstown Sheet & Tube.

Mr. ARENS. Was there an Ohio works, United States Steel?

Mr. GARFIELD. Yes, we had a group at the Ohio works.

Mr. ARENS. Can you tell us who was chairman of that?

Mr. GARFIELD. I believe Sidney Rackoff was chairman there.

Mr. ARENS. Can you recall anyone else who was a leader of the Ohio works, United States Steel group?

Mr. GARFIELD. Mr. Bathory, I believe.

Mr. ARENS. Andy Bathory?

Mr. GARFIELD. Yes

Mr. ARENS. Did they have, during your experience in the Communist Party, a professional group?

Mr. GARFIELD. Yes. We had a professional group in Youngstown.

Mr. ARENS. Who headed the professional group?

Mr. GARFIELD. I believe it was Andy Onda's wife, Mrs. Onda.

Mr. ARENS. That is Ruth Onda?

Mr. GARFIELD. Yes.

Mr. ARENS. Do you recall anyone else who was a leader of that group?

Mr. GARFIELD. Well, Hannah Blumenthal was——

Mr. ARENS. I did not get the first name.

Mr. GARFIELD. Hannah. Mrs. Hannah Blumenthal.

Mr. ARENS. Was her husband active in the professional group?

Mr. GARFIELD. Yes, I believe so.

Mr. ARENS. What was his name? Was it Ben?

Mr. GARFIELD. It was Ben.

Mr. ARENS. Did they have ward clubs of the Communist conspiratorial apparatus while you were a member?

Mr. GARFIELD. Yes. We had several ward clubs. We had the third ward and the second ward.

Mr. ARENS. Give us if you please, the identification of the persons in places of leadership in each of the several ward clubs.

Mr. GARFIELD. The third ward club, I believe that was—and this goes back a few years—to the best of my recollection that was Betty Ehrhart who was the head of the third ward club.

Mr. ARENS. Of the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. It was an entity of the Communist conspiracy; is that correct?

Mr. GARFIELD. Yes.

Mr. ARENS. How about the second ward club?

Mr. GARFIELD. In the second ward club, Mildred Hamilton was responsible.

Mr. ARENS. Are there any other entities within this area with which you were identified or of which you had personal, certain knowledge that you can recount to this committee?

Mr. GARFIELD. I think we have pretty well named them.

Mr. ARENS. Do you have a recollection, during the course of your experience in the Communist Party, of an organization existing to this day in this community known as the United Cultural Association?

Mr. GARFIELD. Yes, I have known that there was such an organization.

Mr. ARENS. And what was your connection, and what was the connection between that organization and the Communist Party?

Mr. GARFIELD. Well, the connection between the two, I don't know exactly. I mean I will put it this way: They had a home and a hall——

Mr. ARENS. Was that at 1440 Thorn Hill Road?

Mr. GARFIELD. Yes. That is one of the few places in which we could meet regularly and hold meetings and so forth.

Mr. ARENS. Were there interlocking relationships between the Communist Party and the leadership of the United Cultural Association?

Mr. GARFIELD. Well, inasmuch as members of one may be members of the other.

Mr. ARENS. Did you ever know its president, Spiridon Comanita, as a Communist?

Mr. GARFIELD. Yes.

Mr. ARENS. And did you serve in closed party meetings with Spiridon Comanita? C-o-m-a-n-i-t-a, is that the correct spelling?

Mr. GARFIELD. Yes. I don't know. I think we said Comanita.

Mr. ARENS. The current treasurer of the United Cultural Association is a person by the name of Eli Nadrich. Did you ever know him as a member of the Communist conspiracy?

Mr. GARFIELD. Yes.

Mr. ARENS. Another officer of the United Cultural Association was George Prislipsky. Can you tell us whether or not, on the basis of your background and experience in this community and the Communist Party, this man, George Prislipsky, was under Communist discipline?

Mr. GARFIELD. I am not sure whether Prislipsky was a member of the party or not. I have seen him on occasion at the hall, but that——

Mr. ARENS. Was he under discipline of the Communist Party?

Mr. GARFIELD. As I recall, there was a question of some white chauvinism at the hall in which somebody from the party was going to speak to Mr. Prislipsky quite strongly about. The details on that just go back too far for me to recall.

Mr. ARENS. What was the main objective of the Communist Party in the Youngstown area?

Mr. GARFIELD. Well, the main objective of the Communist Party in the Youngstown area was to win steelworkers to the party, to build the party among the basic industry, which here meant steelworkers.

Mr. ARENS. Did you subsequently leave or were you transferred to Canton, Ohio?

Mr. GARFIELD. Yes; I was.

Mr. ARENS. Were you identified with the Communist operations in Canton, Ohio?

Mr. GARFIELD. Yes. I was sent to Canton, Ohio, as the organizer for the Canton district.

Mr. ARENS. Of the Communist Party?

Mr. GARFIELD. Yes.

Mr. VELDE. What was the date that you were transferred?

Mr. GARFIELD. I believe it was the fall of 1948. I am pretty sure it was.

Mr. ARENS. You were in the Communist Party until 1952; is that correct?

Mr. GARFIELD. Yes; February.

Mr. ARENS. When did you leave Canton, Ohio?

Mr. GARFIELD. I left Canton, Ohio, in 1950, I believe.

Mr. ARENS. About how many members of the Communist conspiracy were there in Canton in 1950 when you left?

Mr. GARFIELD. About 150.

Mr. ARENS. May I ask you in passing, is the Communist Party a legitimate party or is it a conspiratorial apparatus?

Mr. GARFIELD. That is a question which I have given much thought to.

I, of course, thought for a long time that it was a legitimate party. Otherwise, I wouldn't have spent that many years in the party. Since I have come out of the party and have reflected and thought more than anything of the various influences of life itself, I believe I was doing right by getting out of the party, and that it was a conspiracy.

Mr. ARENS. Are the individual members of the Communist Party under rigid discipline? Are their lives ordered?

Mr. GARFIELD. Yes. That is, it may be because of the closeness of it: I mean the cut-and-dried orders, so to speak. I wouldn't put anything as sinister as that on it; but certainly, by the philosophy and the camaraderie, so to speak, of the movement itself, your lives are certainly ordered.

Mr. ARENS. In Canton, Ohio, did you acquire information as to the membership of the section-level committee in Canton? Who was the leader of the section-level committee?

Mr. GARFIELD. First of all was myself as the organizer. Mr. Carl Guillod was the——

Mr. ARENS. Spell that last name, please?

Mr. GARFIELD. G-u-i-l-l-o-d, chairman of the party in Canton. Paul Bohus——

Mr. ARENS. Spell the last name, please.

Mr. GARFIELD. B-o-h-u-s, was on the section committee. Russ Reemsnyder, Edna Kaufman.

Mr. ARENS. How do you spell Reemsnyder? Is it R-e-e-m-s-n-y-d-e-r?

Mr. GARFIELD. I believe that is it.

Mr. ARENS. Was the last name you mentioned Edna Kaufman?

Mr. GARFIELD. Yes, and Wallace Kaufman.

Mr. ARENS. What is the relationship between Wallace Kaufman and Edna Kaufman?

Mr. GARFIELD. One is the son.

Mr. ARENS. Wallace is the son of Edna Kaufman; is that correct?

Mr. GARFIELD. Yes.

Mr. ARENS. Was there a Carl Guillod?

Mr. GARFIELD. Carl Guillod. I already mentioned him.

Mr. ARENS. How about Rose Mladjan?

Mr. GARFIELD. Yes, Rose Mladjan.

Mr. ARENS. Was she a member of the section-level committee at Canton, Ohio?

Mr. GARFIELD. Yes.

Mr. ARENS. Have you alluded to Roy Kaufman?

Mr. GARFIELD. No; I didn't mention him, but he was.

Mr. ARENS. Was he on the section-level committee of Canton, Ohio?

Mr. GARFIELD. Yes.

Mr. ARENS. Was there a Republic Steel club at Canton?

Mr. GARFIELD. Yes; there was.

Mr. ARENS. Tell us the leadership of the Republic Steel club in Canton during your membership in the Communist Party.

Mr. GARFIELD. Paul Bohus was the chairman of the Republic Steel club.

Mr. ARENS. Are there any others you could identify in places of leadership in the Republic Steel club?

Do you recall a man by the name of Ivan Dudek?

Mr. GARFIELD. Ivan Dudek was, yes, although he wasn't in the role of leadership.

Mr. ARENS. Was there a Timken club? I assume that is the Timken Roller Bearing.

Mr. GARFIELD. Yes; Timken Roller Bearing. We had a Timken club which was never as successful as the Republic club or as we wanted it to be.

Mr. ARENS. Who was in the place of leadership at the Timken club, if you recall?

Mr. GARFIELD. Fred—something. I can't recall his last name.

Mr. ARENS. Did you have ward clubs and nationality clubs in Canton?

Mr. GARFIELD. Yes; we did.

Mr. ARENS. Do you recall the persons who were in positions of leadership in any of the ward clubs?

Mr. GARFIELD. Well, Rose Mladjan was in the 10th ward club.

Mr. ARENS. She was the chairman or leader?

Mr. GARFIELD. Yes.

Mr. ARENS. Can you recall anyone else in the position of leadership in that club?

Mr. GARFIELD. Mollie Dudek, I believe.

Mr. ARENS. She was in the 10th ward club?

Mr. GARFIELD. Yes.

Mr. ARENS. Was there a nationality club among persons of Greek nationality, a Greek club?

Mr. GARFIELD. Yes. We had a Greek club of the party in Canton.

Mr. ARENS. Who was head of that?

Mr. GARFIELD. The head of that was Chris Stavarides.

Mr. ARENS. How do you spell that?

Mr. GARFIELD. I have no idea.

Mr. ARENS. Is it S-t-e-f-a-r-i-d-e-s?

Mr. GARFIELD. I think it would be more like S-t-a-v-a-r-i-d-e-s. I am not sure that is right.

Mr. ARENS. Do you recall anyone else in the position of leadership in the Greek club of the Communist Party?

Mr. GARFIELD. I don't believe so.

Mr. ARENS. Was there a Massillon Club?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was head of that?

Mr. GARFIELD. Mrs. Kaufman was chairman.

Mr. ARENS. Is that Edna Kaufman?

Mr. GARFIELD. Yes.

Mr. ARENS. Do you recall anyone else in the position of leadership in that club?

Mr. GARFIELD. Reverend Matthews.

Mr. ARENS. What is his first name?

Mr. GARFIELD. I think it was John.

Mr. ARENS. John Matthews?

Mr. GARFIELD. Yes.

Mr. ARENS. Was he a part-time preacher?

Mr. GARFIELD. Yes.

Mr. ARENS. Do you recall anyone else who was in that club?

Mr. GARFIELD. No; I don't, offhand.

Mr. ARENS. Do you remember whether or not Tony Gonzales was a member of the Massillon Club?

Mr. GARFIELD. Yes.

Mr. ARENS. Do you identify him and other persons you have spoken of as leaders in these various clubs as persons known by you to be members of the Communist Party? Is that correct?

Mr. GARFIELD. Yes; he and his wife were in the Massillon Club. I wouldn't refer to them as leaders of the club.

Mr. ARENS. Did you know a man by the name of Tom Paskoff?

Mr. GARFIELD. Yes.

Mr. ARENS. What club was he in?

Mr. GARFIELD. Massillon.

Mr. ARENS. Did they have a youth club in Canton, Ohio, during the period of your service in the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was head of the youth club?

Mr. GARFIELD. Wallace Kaufman.

Mr. ARENS. Was his wife also a leader of that club?

Mr. GARFIELD. Yes; Anna.

Mr. ARENS. What were your duties as section organizer in Canton?

Mr. GARFIELD. Well, it was to assist the section committee, of Canton, to recruit and build the party in Canton.

Mr. ARENS. Did you have occasion to get around the State?

Mr. GARFIELD. Yes. I went to State meetings in Cleveland and section-organizer meetings in Cleveland.

Mr. ARENS. While you were a section organizer in Canton, did you have occasion to meet with the Youngstown groups here in Youngstown?

Mr. GARFIELD. Yes; although that was more social than on business, coming from Youngstown.

Mr. ARENS. Did you have occasion, during your experience as a leader in Canton, Ohio, for the Communist Party, to meet in Youngstown with Robert Emerine and his wife, Roslyn?

Mr. GARFIELD. Yes. I knew Bob and Roslyn very well.

Mr. ARENS. Where were they from?

Mr. GARFIELD. I believe New Jersey; some place in the East.

Mr. ARENS. What was their function here in this area if they were from New Jersey?

Mr. GARFIELD. They were colonizers.

Mr. ARENS. What is a colonizer? Could you keep your voice up a little, please, Mr. Garfield?

Mr. GARFIELD. A colonizer is someone who originally is from the strong party sections of say, New York or New Jersey, some place where they have a strong party, but not necessarily a basic working-class character in that section, and the party felt that these people could be of more service to the party if they went to a place which had a more basic working-class character such as basic steelworkers or automobile workers or coal miners.

These people were then directed to ask to relocate and help build the party in those——

Mr. ARENS. Were Robert Emerine and his wife, Roslyn, colonizers for the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. Did you meet with them as a comrade?

Mr. GARFIELD. Yes.

Mr. ARENS. Did you know a man by the name of Sak Levin?

Mr. GARFIELD. Yes.

Mr. ARENS. In Youngstown?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was he?

Mr. GARFIELD. He was the organizer of the party in Youngstown. He formerly was the organizer for the party in Akron, Ohio.

Mr. ARENS. Did you have occasion to serve on the Ohio State committee of the Communist Party during your service in the party?

Mr. GARFIELD. Yes; I did.

Mr. ARENS. Over what period of time were you a member of the Ohio State committee of the Communist Party?

Mr. GARFIELD. I believe the year 1949—was it 1949 or 1948 that I was elected?—shortly after I went to Canton. That would be 1948. The next year, the State committee was cut by a considerable number to make it more manageable in view of the Smith Act and the attacks upon it.

Mr. ARENS. To your certain knowledge, who were the members of the Ohio State committee of the Communist Party in 1948?

Mr. GARFIELD. Gus Hall; Martin Chancey, I believe; Joe Brandt——

Mr. ARENS. B-r-a-n-d-t?

Mr. GARFIELD. Yes. Elmer Fehlbater, Freda Katz, Frank Hashmall, and Andy Onda.

Mr. ARENS. Mike Davidow?

Mr. GARFIELD. Yes.

Mr. ARENS. Was Sak Levin on it?

Mr. GARFIELD. Yes; Sak was on. I was on; Eric Reinthaler was on.

Mr. ARENS. Was Hy Lumer on it?

Mr. GARFIELD. Hy Lumer.

Mr. ARENS. Was Betty Ehrhart on it?

Mr. GARFIELD. Yes.

Mr. ARENS. Was Ben Gray on it?

Mr. GARFIELD. Yes.

Mr. ARENS. Was Joe Brandt on it?

Mr. GARFIELD. Joe Brandt; yes.

Mr. ARENS. How about Anthony Krchmarek?

Mr. GARFIELD. Yes.

Mr. ARENS. How do you spell the last name?

Mr. GARFIELD. K-r—I am not sure how you spell it. I think it is K-r-a-c-h-m-e-r-i-k.

Mr. ARENS. I understood you to say a few minutes ago that in 1949 the membership of the State committee in the Communist Party was reduced. Is that correct?

Mr. GARFIELD. Yes.

Mr. WILLIS. Mr. Counsel, at this point you are going into a slightly new subject. I think it might be wise to take a 5-minute recess to help the reporter.

Mr. ARENS. Yes, sir.

(Brief recess.)

(Members present at the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order. Counsel will proceed.

Mr. ARENS. Mr. Garfield, at the recess we were alluding to the membership of the Ohio State committee of the Communist Party in 1949. I should like to ask you now if you will kindly tell us who, to your certain knowledge, were members of the Ohio State committee of the Communist Party in 1949.

Mr. GARFIELD. If I recall correctly, the State committee in 1949 was cut down from the State committee of 1948, in numbers. Those who were members were Gus Hall, Martin Chancey, Joe Brandt, Mike Davidow, Freda Katz.

Mr. ARENS. Was Andrew Remes on that?

Mr. GARFIELD. Yes; Andy Remes.

Mr. ARENS. How about Frank Hashmall?

Mr. GARFIELD. Frank Hashmall; yes.

Mr. ARENS. Is there anyone else whose name occurs to you now?

Mr. GARFIELD. No; I don't recall any.

Mr. ARENS. In 1949, was there a State organizational committee?

Mr. GARFIELD. Yes, we had a State organizational committee to supplement the State committee and to help pay particular attention to organizational problems.

Mr. ARENS. Were you on that State organizational committee?

Mr. GARFIELD. Yes, I was.

Mr. ARENS. Who else was on that State organizational committee of the Communist Party?

Mr. GARFIELD. There was Martin Chancey, of course. Myself, Bookie Marks.

Mr. ARENS. M-a-r-k-s?

Mr. GARFIELD. Yes.

Mr. ARENS. Was Glenda Crudle on that?

Mr. GARFIELD. Crudle, yes. That is all I can recall now.

Mr. ARENS. During the course of your experience in the Communist Party in the Ohio area, did you have occasion to obtain knowledge respecting the creation by the Communist Party of various front groups, groups that were controlled by the Communist Party, but were not themselves out-and-out Communist organizations?

Mr. GARFIELD. Yes.

Mr. ARENS. Was the American Vets Committee such a group?

Mr. GARFIELD. In Youngstown, it became that, I should say. I know we tried to make it in character, at least, something that was broader than the Party, but it was pretty much the Party here in Youngstown.

Mr. ARENS. How many members were there in the American Vets Committee?

Mr. GARFIELD. I don't remember now.

Mr. ARENS. What is your best estimate?

Mr. GARFIELD. Maybe 30 or 40.

Mr. ARENS. Who were the principal leaders of the American Vets Committee in Youngstown?

Mr. GARFIELD. Well, I was. Most of the vets in the party belonged. There was Bob Hamilton, and Eric Reinthaler.

Mr. ARENS. How about Ellsworth Jackson?

Mr. GARFIELD. Ellsworth Jackson.

Mr. ARENS. Were there any other organizations that you recall that were created or controlled by the Communist Party but which were not out-and-out Communist organizations as such?

Mr. GARFIELD. Just one thing on the AVC. I don't mean to imply, because I don't know, that it was created by the Communist Party. I just say that, here in Youngstown, we were instrumental in starting it, and it is true that we controlled its policies here. But I don't know enough about it to say that it was true nationally.

Mr. ARENS. Can you name any other organizations which were penetrated or controlled by the Communist Party in the Youngstown area? How about the United Negro and Allied Veterans of America?

Mr. GARFIELD. Yes. That was pretty much a party thing. In fact, I think darn near all of them were members of the party here in Youngstown.

Mr. ARENS. Who were the leaders of the organization?

Mr. GARFIELD. Well, there was Bob Hamilton and, I believe, Ellsworth Jackson.

Mr. WILLIS. And those were actual Communists?

Mr. GARFIELD. Yes.

Mr. WILLIS. And was that so of the first front organization you started with? In other words, as I understood your testimony regarding the first front organization which you used as Communists, I think your words were that policies were controlled by the actual Communists, is that correct?

Mr. GARFIELD. Yes.

Mr. WILLIS. In what way was it? In the election of officers or matters of that sort? Would you dwell on that just a little bit? You are saying what appears to be the pattern of all of these front organizations. There are a lot of gullibles, a lot of dupes, a lot of joiners who were not Communists, but they joined these fronts and the important thing is that the policies of the front organizations are led by actual top hardcore Communists. That is what I want you to talk about, what do you mean by controlling the policies?

Mr. GARFIELD. Well, first of all, I don't remember the circumstances how we got it started here, but I know that I made the arrangements for the room and so forth for the first initiating meeting here in Youngstown. We were, I think, a majority, that is, the Party members in that at that time. We may not have been, but we were the most active, at any rate; and, as such, we pretty well determined what the AVC was going to do or what it wasn't going to do.

Mr. VELDE. Were the officers of these clubs Communist Party members?

Mr. GARFIELD. We tried to get people who weren't members of the party to be the officers of that organization. I was an officer——

Mr. VELDE. What was the purpose of that? What was your reason for getting non-Communists as officers of these organizations?

Mr. GARFIELD. Well, we thought it would be a broader organization than just the Communist Party. In other words, if you are going to have a people's movement or an organization, it certainly has to be broader than the Communist Party.

Mr. WILLIS. That is the essence of the communistic technique, is it not, that numbers are not very significant? It is the organizational work that counts, is that not correct, generally?

Mr. GARFIELD. Well, yes, in general. Maybe I wouldn't put it——

Mr. WILLIS. Let us be specific. In Russia itself there is only a very small percentage of the people of Russia who are trusted with card-carrying and are recognized leaders. The others follow. Is that not true?

Mr. GARFIELD. Yes.

Mr. ARENS. How many members were there in the United Negro and Allied Veterans of America?

Mr. GARFIELD. I don't remember. It wasn't too big. I would say just as a guess maybe 20.

Mr. ARENS. And was it controlled by the Communist Party?

Mr. GARFIELD. Yes, in the same——

Mr. ARENS. The American Peace Crusade—Was the Communist Party in control of that movement in the Youngstown area?

Mr. GARFIELD. The American Peace Crusade? I am not sure about that. I was out of Youngstown at that time, in Canton; and I know that when we had that march to Washington, in fact, I think there were several of them—peace marches, or whatever they were called—that most of the people who I saw from Youngstown were party members.

Mr. ARENS. How about the Progressive Party?

Mr. WILLIS. Counsel, that is certainly the national pattern as to the peace crusade, is that not right?

Mr. ARENS. Yes, sir.

Mr. WILLIS. And that is one of the objectives of these hearings, to see whether what happened here in these fronts is what we know happened higher up nationally.

Mr. ARENS. It completes the mosaic, yes, sir.

Mr. WILLIS. It completes the cycle.

Mr. ARENS. How about the Progressive Party, Mr. Garfield?

Mr. GARFIELD. The Progressive Party, certainly the Communists were active in the Progressive Party, and played a major role.

Mr. ARENS. Who were the leaders of the Progressive Party?

Mr. GARFIELD. Do you mean in Youngstown?

Mr. ARENS. Yes, sir.

Mr. GARFIELD. I don't remember who was the chairman here. I I think Mrs. Taylor was, but I am not sure. I think it was Mrs. Pauline Taylor in Youngstown, who was chairman of the Progressive Party. I don't recall exactly.

Mr. ARENS. During the course of your experience in the Communist Party, were you ever relieved from open party activities and assigned to the underground?

Mr. GARFIELD. Yes, I was.

Mr. ARENS. Tell us in your own words what happened and when it happened.

Mr. GARFIELD. In the early summer of 1950, I was approached by Martin Chancey and informed that because of the increasing attacks upon the party and the worsening political picture, that is, for us, at that time, that the party felt the need to have a research apparatus in case of emergency, in case of crackdown by the Government, in toto, so to speak, on the party. He said that Gus Hall had designated me as the man who was to head up this research apparatus, and, as such, I was to immediately sever all connections with the open party and, in general, make my identity and whereabouts unknown to the authorities and to the party itself.

Mr. WILLIS. In other words, following the Smith Act, which provides that people convicted of advocating the overthrow of the Federal Government may be sent to the penitentiary, here (as elsewhere I know, but I want to know about here), the Communist Party, the Communist conspiracy, decided to form a small nucleus which would go underground, change their name and so on, to take over in the event of a broad wiping-out operation of those operating openly. Is that what happened here?

Mr. GARFIELD. Yes, that is it.

Mr. ARENS. Did you accept the assignment as leader of the Communist Party underground in the State of Ohio?

Mr. GARFIELD. Yes, I did.

Mr. ARENS. Who was Martin Chancey who approached you on this matter?

Mr. GARFIELD. Martin was the organizational secretary for the party in Ohio.

Mr. ARENS. Was the Ohio underground apparatus part of the national apparatus?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was to be your immediate superior in the Ohio underground apparatus?

Mr. GARFIELD. Well, I didn't have any superior. I mean, in that sense.

Mr. ARENS. To whom were you to report and from whom were you to receive orders?

Mr. GARFIELD. Well I had a contact in New York, and I had a certain telephone number and name that I was to get in touch with if I wanted to contact the national party.

Mr. ARENS. How many persons were in the underground apparatus?

Mr. GARFIELD. In my group we had three, including myself. Then there were associated with each of us, say, two more.

Mr. ARENS. There is a cutout system, is there not, whereby certain members of the underground didn't know the identity of the other members?

Mr. GARFIELD. That is right.

Mr. ARENS. Is that the pattern of the Communist Party, the cutout system?

Mr. GARFIELD. Yes.

Mr. ARENS. Were the persons who were in the underground also attending open Communist Party functions?

Mr. GARFIELD. No.

Mr. ARENS. Did they have any contact with the open Communist Party?

Mr. GARFIELD. No.

Mr. ARENS. Can you tell us a word about the security precautions taken in the underground?

Mr. GARFIELD. Well, we took all the security precautions we could take. That is, in my own example I changed my name. I grew a mustache—in other words, I tried to change my identity.

Mr. WILLIS. How about personally carrying party cards, security cards and so on?

Mr. GARFIELD. We had done away with party cards a year or so before that.

Mr. WILLIS. I know that. As I understand, or at least the general pattern is that card-carrying was dispensed with about that time. But you say you changed your name. Did you take any other security measures?

Mr. ARENS. Did the party change names on social security cards, driving licenses, and so forth?

Mr. GARFIELD. Yes. When I changed my name, I secured a social security card and driver's license in my changed name.

Mr. WILLIS. In the fictitious name?

Mr. GARFIELD. Yes.

Mr. WILLIS. So you really had two social security numbers?

Mr. GARFIELD. Yes. I built up a new identity, in other words.

Mr. ARENS. Did you do that by procuring new identification cards?

Mr. GARFIELD. Yes.

Mr. ARENS. Were there any codes or coded messages devised by the Communist underground operation?

Mr. GARFIELD. I had kind of a code to get in touch with the national organization. It wasn't much of a code in the usual sense, I don't think. It was just that I was—I forget how it went now. I was to say I was Joe Blow from Atlantic City, or something, and they would give a return something that I would recognize. I forget what it is.

Mr. ARENS. You told us a little while ago that one of your party names was Paul Stone and another one was Frank Williams. What was your name in the underground?

Mr. GARFIELD. John.

Mr. ARENS. And was this name used exclusively for underground operation contacts?

Mr. GARFIELD. Yes.

Mr. ARENS. Did the underground apparatus have any secret hiding places for its members?

Mr. GARFIELD. Yes. We tried to secure such places.

Mr. ARENS. And where were some of those places?

Mr. GARFIELD. Well, I stayed a couple of weeks down in Neffs, Ohio.

Mr. ARENS. Where was it you stayed?

Mr. GARFIELD. At a house an old couple had there.

Mr. ARENS. What was the name of the party who owned the establishment where you had this underground rendezvous in Neffs, Ohio?

Mr. GARFIELD. Brelich, I think.

Mr. ARENS. How do you spell that, or what is your best recollection?

Mr. GARFIELD. B-r-e-l-i-c-h.

Mr. ARENS. Can you give us as specifically as possible, from your recollection, the particular location of this place?

Mr. GARFIELD. That was in one of the small ravines, so to speak, that we have all through the hill country there. It is right outside of Neffs, Ohio.

Mr. ARENS. While you were in Cleveland, did you have an underground headquarters there?

Mr. GARFIELD. Yes. That is, you say headquarters. It was a place where we met.

Mr. ARENS. A place of rendezvous, I should say.

Mr. GARFIELD. Yes.

Mr. ARENS. Where was that in Cleveland?

Mr. GARFIELD. We met at Howard Van Kleef's home.

Mr. ARENS. Is he the gentleman who preceded you to the witness stand?

Mr. GARFIELD. Yes.

Mr. ARENS. What is his wife's name, by the way?

Mr. GARFIELD. Judy.

Mr. ARENS. And what did you do at his home?

Mr. GARFIELD. Well, as I stated earlier, I lived there for 2 or 3 months, I forget; and then we had our meetings once a week of our research group, at which time the Van Kleefs would leave; and then when we were through with our discussion of our underground

activities, they would sometimes come back for a general educational discussion or current affairs, so to speak.

Mr. ARENS. Were there any other places where you had points of rendezvous in the underground activity in which you were engaged?

Mr. GARFIELD. Yes. We would meet in a number of places, a parking lot, a bowling alley—practically any public place where you wouldn't arouse suspicion by being there.

Mr. ARENS. While you were in the underground, did you ever reside any place besides the place you told about and the Van Kleefs'?

Mr. GARFIELD. Yes, I lived in a number of places.

Mr. ARENS. Did you shift from place to place?

Mr. GARFIELD. Pretty much, yes.

Mr. ARENS. Were these places all places selected for security because they were under the auspices or control of trusted comrades?

Mr. GARFIELD. No. Some of the places I went on my own, just as Paul Stone, and rented. They weren't all comrades.

Mr. ARENS. Were members of the underground paid functionaries of the Communist Party or were they persons who had other employment?

Mr. GARFIELD. Well, at first I was paid, and I believe Martin was, I am sure he was paid, and then later I got a job for myself and furnished my own support, chiefly to strengthen my identity, that is, as another person.

Mr. ARENS. How was the Communist underground apparatus to be financed in Cleveland?

Mr. GARFIELD. We had a reserve fund of twenty to thirty thousand dollars which was put away for a time of emergency.

Mr. ARENS. The Communist underground had that?

Mr. GARFIELD. Yes.

Mr. ARENS. Who was the custodian of that fund?

Mr. GARFIELD. I never saw it, but Mr. Krchmarek——

Mr. ARENS. Anthony Krchmarek?

Mr. GARFIELD. Yes. Anthony Krchmarek, I was informed, knew where the money was. He didn't personally have it, but he knew how it was distributed or how to get ahold of it.

Mr. ARENS. I want to get the record clear. Was this twenty or thirty thousand dollars to be used in your underground current activities or was it a fund set aside as a reserve in the case of an emergency?

Mr. GARFIELD. It was a fund set aside for an emergency. We felt that there wasn't that much emergency to tap that at that time.

Mr. ARENS. Was Ed Chaka at any time to your knowledge identified with handling the funds?

Mr. GARFIELD. Yes. Anthony Krchmarek was out of the country at that time, and Martin told me that Ed Chaka knew the whereabouts of the money.

Mr. ARENS. Is that Martin Chancey you are talking about?

Mr. GARFIELD. Yes.

Mr. ARENS. Did you know Chaka as a member of the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. Where did you know him?

Mr. GARFIELD. I met him numerous times at State meetings of one kind or another.

Mr. ARENS. Did you receive any funds at all during the course of your operation in the underground from the emergency fund, for any purpose.

Mr. GARFIELD. Well, at one time we took out, I believe it was, $100 to buy some mimeograph machines——

Mr. ARENS. There was a little disturbance in the courtroom. Would you repeat that, please?

Mr. GARFIELD. We took out $100 one time to buy some mimeograph machines so that we could insure that each section had one mimeograph machine put away.

Mr. ARENS. How many mimeograph machines did you get for the $100?

Mr. GARFIELD. Gee, I don't remember. They were just cheap ones. Ones that worked, of course. Some of the sections were able to buy their own. That is, give the money right then and there.

Mr. ARENS. Were these mimeograph machines to be used solely and exclusively in the underground functions as distinguished from the aboveground functions of the party?

Mr. GARFIELD. Yes. They were to be put away and be in the custody, so to speak, of the underground.

Mr. ARENS. Were you assigned to one particular group in the underground?

Mr. GARFIELD. Yes. I was in one group and wasn't to be known in any other.

Mr. ARENS. You do not know who might have been in the other groups, do you—that is, in total—because of this cutout system we have been talking about? Isn't that correct?

Mr. GARFIELD. Yes.

Mr. ARENS. Tell us the other individuals who, to your certain knowledge, were in your group or section of the underground.

Mr. GARFIELD. Well, there was Martin Chancey and Archie were the three in ours.

Mr. ARENS. Who is Archie?

Mr. GARFIELD. Ed Likover, I learned later.

Mr. ARENS. I think the record should show at this point, Mr. Chairman, that a subpena for Mr. Ed Likover has been outstanding for some time by this committee in anticipation of our visit to Youngstown, but we have been repeatedly informed by the appropriate agencies of this Government that apparently he is so deeply underground that we cannot locate him.

How did you know that Archie and Ed Likover were the same person?

Mr. GARFIELD. I don't remember how I first learned it. Probably just got talking and didn't pay enough attention to our own security.

Mr. ARENS. What was Ed Likover's job in the underground?

Mr. GARFIELD. He was the technical man. That is, in charge of the technical apparatus.

Mr. ARENS. What do you mean by technical apparatus?

Mr. GARFIELD. Printing presses and——

Mr. ARENS. Was he in charge of any preparation of identity cards or anything of that character?

Mr. GARFIELD. No. We didn't have any facilities for reproducing identity cards. He was in charge of—well, we had two printing

presses—of seeing that they were located in an operating condition.

Mr. ARENS. Where were these printing presses set up?

Mr. GARFIELD. I don't know. He set one up some place in Lorain, I believe, but I never knew where.

Mr. ARENS. Did the membership of your particular section of the underground remain constant or did it change from time to time?

Mr. GARFIELD. It changed only once. That was when Martin——

Mr. ARENS. By Martin, you mean Martin Chancey?

Mr. GARFIELD. Yes—when he went to—well, I don't know where he went. When he left, we were assigned another man by the name of Jack. That was the only name I ever knew him by.

Mr. ARENS. Could you hesitate here in the record a moment, please, Mr. Garfield, and give us a word description of the man in the underground whom you knew as Jack, who succeeded Chancey in your group of the underground?

Mr. GARFIELD. He was in Cleveland, that is where this took place, and I would say he was around 40, had a bushy mustache, gray hair or brown hair, glasses. That is about all the description.

Mr. ARENS. How were the arrangements made for meetings? How was contact made from one member of the underground to the other members of the underground?

Mr. GARFIELD. Generally, if the three of us had a meeting one night, we would, before we left, decide when we were going to meet again. In the case of emergencies, for that we had couriers who were known only to ourselves.

Mr. ARENS. Can you tell us names or a name of any courier you may have known in this underground operation?

Mr. GARFIELD. My courier was Marjorie Albert.

Mr. ARENS. And identify Marjorie Albert. Who was she?

Mr. GARFIELD. She was Paul Albert's wife.

Mr. ARENS. Was she a person who to your certain knowledge was a member of the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. Where all did you hold meetings, other than in these places of rendezvous you have described, the homes?

Mr. GARFIELD. We would meet, say, in an automobile, or Jack and I, I know, used to meet in the railroad YMCA in Cleveland.

Mr. ARENS. How often did you hold these sessions?

Mr. GARFIELD. We tried to meet once a week.

Mr. ARENS. Were the underground members, including yourself, furnished automobiles?

Mr. GARFIELD. No; not generally. I think Martin had a car.

Mr. ARENS. How were the cars of the underground operatives registered?

Mr. GARFIELD. I don't know, specifically. I know that my car was registered under the name of Paul Stone. That is, I had my driver's license and everything else in that name and had the car registered in that name.

Mr. ARENS. What did you do when it was time to dispose of the car?

Mr. GARFIELD. I left it in Canton, Ohio, with Wally Kaufman and signed the title and told him that it was in bad shape.

Mr. ARENS. Who was Wally Kaufman?

Mr. GARFIELD. He was the comrade from Canton.

Mr. ARENS. Was he a person who, to your certain knowledge, was a member of the Communist Party?

Mr. GARFIELD. Yes.

Mr. ARENS. Were there any particular security measures taken in regard to automobiles?

Mr. GARFIELD. Well, that security measure, of course, that if you had a different identity, you certainly wouldn't register the car in your real name. Martin had a habit of parking his car in a junk lot so that it wasn't available on the streets to be under surveillance.

Mr. ARENS. What were the circumstances of your leaving the underground and when did you leave?

Mr. GARFIELD. In February 1952, the FBI approached me. It was kind of a shock to me. I thought I had been pretty clever up to that time in avoiding them, but they were there. I went home to Youngstown. I was sick at the time in Cleveland. I had been going to a doctor, and I went to a veterans hospital then for a period of 4 or 5 months. I guess it was a case of being out of the woods, or out of the trees where you could see the woods, so to speak.

Mr. ARENS. Was the Communist underground operating in this area when you left in 1952?

Mr. GARFIELD. Yes.

Mr. ARENS. Do you have any doubt in your mind as to whether the Communist underground is operating now?

Mr. GARFIELD. No, I imagine they still are.

Mr. ARENS. Is the exposure of the Communist underground and of the Communist Party, via the work of such committees as the House Committee on Un-American Activities, detrimental to the Communist Party and, if so, how?

Mr. GARFIELD. Well, it is certainly an exposure of somebody whose main purpose is not to be exposed. That is detrimental. That follows, I think. There is no question about that.

Mr. ARENS. We appreciate ever so much, Mr. Garfield, your testimony today. We would like to have you remain under your subpena in the courtroom during the course of the hearings the next day or so, because we want to be sure that certain other witnesses have an opportunity to be confronted face to face with you. Will you kindly do so?

Perhaps the chairman or the other member of the committee may have a question or so.

Mr. VELDE. During the time you were in the underground, did you do any recruiting of new members to the party?

Mr. GARFIELD. No.

Mr. VELDE. Before that, of course, during 1948 and up until the time you went into the underground, the Communist movement was pretty well known throughout the land, and it seems to me that it would be rather difficult for you to know whom you could trust or approach for Communist Party membership. What technique did you use while you were recruiting and organizing, to make sure that a person you did recruit was not an underground for the FBI, or something like that?

Mr. GARFIELD. Well, I guess there was always that chance. Gee, I don't know any special techniques. I mean, you just worked with somebody, or, say, at work where you worked you knew somebody, and

talked to them, and tried to influence them to join. Perhaps on a certain specific issue you saw some people.

Mr. VELDE. Is it not the Communist Party line if the person you were working with, say, favored the Moscow policy toward Hungary today, you would think he would be good bait or be a pretty good party member?

Mr. GARFIELD. Yes. Well, say, like the American Peace Committee. If you had a few people who were not Communists but interested in that, and who were working for it sincerely, it wasn't hard to show them that, if they looked around, the Communists were about the only ones who were really working in there, so to speak, and you would say "Here are some people who are for what you are for."

Mr. VELDE. As far as this colonization movement is concerned, do you have any idea who directed it, who were the big boys who directed the colonization movement?

Mr. GARFIELD. No. I know that Gus Hall wrote an article on that in Political Affairs, Turning the Face of the Party Toward the Basic Industry, I believe, or something along that line. I recall that he specifically talked to some sections in New York while he was there about this colonizing activity out here.

Mr. VELDE. Is it true that most of the colonizers were well-educated persons?

Mr. GARFIELD. Yes; that is, politically well educated.

Mr. VELDE. And a big majority of them came out here from New York and some of the large eastern cities?

Mr. GARFIELD. Yes.

Mr. VELDE. I want to compliment you on your fine dissertation here, and I am sure the American public owes you a debt for appearing here and making the fine contribution that you have given.

Mr. WILLIS. I want to join in the last statement by Congressman Velde. I wish there were more like you who realize their errors and who are man enough to come out and assist this committee, the FBI, and the other agencies of the Government in their exposure of the attempted extermination of the Communist conspiracy. I suppose all of us, or most of us, during our lifetime have done things that we regret, that we don't like to talk about. But when we look back on them and must face up, we are not so callous as not to admit "Yes, I did it. I was wrong." I think that is an American trait, public acceptance of people, as we all do, because the Good Book says, "Let him who is without sin cast the first stone." But the important thing is to come out and to admit it. It frees the soul; it makes a man feel better. I know around here and all over the United States what they call you. They call you what they call us, stool pigeons, a bunch of no-goods, but don't let that worry you. This committee is the one committee of Congress charged with this job of continually studying the apparatus, the machination, the patterns, the mode of operation of the Communist conspiracy. It is a bipartisan thing. We report to Congress every year. Every year Congress keeps us in business. It is not a pleasant job to all of us. They try to goad us into losing our heads or arguing with them. We do not do that. They are going to testify or they can plead the fifth amendment, properly, if they are honest about it.

I say to you, you are still a young man, and I think in my book you are all right, and I know you are all right in the book of the members of this committee and the Members of Congress. I think you have done a valuable service to your country; and in the name of this committee and of the Congress, I compliment you and wish you luck.

Thank you so much.

Will you remain in the courtroom?

Mr. GARFIELD. Yes.

Mr. WILLIS. Call your next witness.

Mr. ARENS. Marjorie Albert, kindly come forward.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ALBERT. I do.

TESTIMONY OF MARJORIE ALBERT, ACCOMPANIED BY COUNSEL, CHARLES R. MILLER

Mr. ARENS. Kindly identify yourself, if you please, ma'am, by name, residence, and occupation.

Mrs. ALBERT. I live at 1684 Belmar Road, and I am a secretary.

Mr. ARENS. Where are you employed, please?

Mrs. ALBERT. I have worked 2 years at an orthodox religious school, a Jewish school. I will spell the name for you. Y-e-s-h-i-v-a-t-h A-d-a-t-h School.

Mr. ARENS. You work there now?

Mrs. ALBERT. Yes.

Mr. MILLER. May I interject for a moment, please?

My name is Charles R——

Mr. ARENS. We will get to that in a moment, please.

Are you appearing today in response to a subpena served upon you by the House Committee on Un-American Activities?

Mrs. ALBERT. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. ALBERT. Yes.

Mr. ARENS. Counsel, kindly identify yourself, please.

Mr. MILLER. Charles R. Miller, 609 Public Square Building, Cleveland 13, Ohio. For the record, I would like to note an objection to the continuing jurisdiction of this forum.

Thank you.

Mr. ARENS. Please tell us where you were born?

Mrs. ALBERT. Cleveland, Ohio.

Mr. ARENS. Give us, if you please, a word about your early education.

Mrs. ALBERT. I went to the Cleveland public schools. We lived in Detroit for 3 years. I went to the public schools there when I was in junior high, and I graduated from high.

Mr. ARENS. When did you complete your formal education?

Mrs. ALBERT. 1946.

Mr. ARENS. Tell us, if you please, the principal employment you have had since 1946?

(The witness conferred with her counsel.)

Mrs. ALBERT. At this time I would like to invoke the first and the fifth amendments to the Constitution.

Mr. ARENS. What is the first employment you had after you concluded your formal education?

Mrs. ALBERT. I repeat that I would like to invoke the first and the fifth amendments.

Mr. WILLIS. When was the date of the completion of her formal education?

Mr. ARENS. 1946, was it not?

Mrs. ALBERT. That is right.

Mr. ARENS. For the purpose of identification, you are the wife of Paul Albert, is that correct?

(The witness conferred with her counsel.)

Mrs. ALBERT. Yes; I am.

Mr. ARENS. How long have you had your present job?

Mrs. ALBERT. I stated 2 years and 3 months.

Mr. ARENS. What job did you have immediately prior to the job that you presently occupy?

(The witness conferred with her counsel.)

Mrs. ALBERT. I didn't work for 3 years before that.

Mr. ARENS. When did you last work prior to the time you began your present job?

(The witness conferred with her counsel.)

Mrs. ALBERT. I repeat that I would like to invoke the fifth amendment—

Mr. ARENS. Mr. Chairman, I suggest that this witness be directed to answer that question. The question is only as to a date. It is when she was employed.

Mrs. ALBERT. I am sorry. I thought you asked where.

Mr. WILLIS. I will direct her.

Mr. ARENS. When were you last employed prior to the time you occupied your present position?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question.

Mrs. ALBERT. I don't know what the line of reasoning, what it will lead to, so I would like to again plead the privilege of the fifth amendment.

Mr. ARENS. How long did you occupy the position which you held prior to your present position?

Mrs. ALBERT. I repeat again that I am invoking the fifth amendment.

Mr. ARENS. I beg your pardon?

Mrs. ALBERT. I repeat again that I am invoking the fifth amendment on all questions of employment other than my present employment.

Mr. ARENS. Let us get the record clear. Is there any employment in which you have been engaged since you graduated from high school, concerning which you can tell this committee, without giving information which could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth and the first amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the question.

It is not a trick question, Ma'am. The question is: Is there any employment in which you have been engaged since you graduated from high school other than your present employment, concerning which you can testify without giving information which could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this record show that the witness be ordered and directed to answer the last principal question.

Mr. WILLIS. You are ordered to answer the question.

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth and first amendments.

Mr. ARENS. You haven't invoked here today the fifth amendment with reference to your present employment, have you?

Mrs. ALBERT. No; I have not.

Mr. ARENS. Are you presently under the discipline of the Communist Party?

Mrs. ALBERT. I respectfully refuse to answer that on the basis of the fifth and first amendments.

Mr. ARENS. Were you a member of the Labor Youth League in Cleveland?

Mrs. ALBERT. I refuse to answer that, also, on the basis of a violation of my rights under the fifth and first amendments.

Mr. ARENS. May I put it to you as a fact and ask you to affirm or deny the fact that you were a member and active in the Labor Youth League in Cleveland in 1955?

Mrs. ALBERT. I invoke the fifth and first amendments.

Mr. ARENS. Where was your home in 1949, in what city?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth and first amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question as to in what city her home was in 1949.

Mr. WILLIS. I do not see in what possible incrimination it would involve you. You are on dangerous ground. For your own safety, I will order you to answer the question. He is asking you what city you came from before you lived at your present address.

(The witness conferred with her counsel.)

Mrs. ALBERT. I again invoke the fifth amendment to the Constitution.

Mr. ARENS. Mr. Garfield, would you kindly stand?

Ma'am, would you kindly look over your left shoulder? Mr. Garfield a few moments ago took an oath and swore to the committee that while he was a member of the Communist Party underground, you were a Communist courier who brought messages to him. While you are under oath, look him in the face and tell the committee whether he was lying or whether he was telling the truth.

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth and first amendments.

Mr. VELDE. Are you acquainted with Mr. Garfield?

Mrs. ALBERT. You ask the same question in another way, and I repeat that I invoke the first amendment on the question of right of association and the fifth amendment.

Mr. ARENS. How about Paul Stone? Did you ever know a man by the name of Paul Stone?

Mrs. ALBERT. Again I invoke the fifth amendment.

Mr. ARENS. Frank Williams? Did you ever know a person by the name of Frank Williams?

Mrs. ALBERT. Again I invoke the fifth amendment.

Mr. ARENS. Did you ever know a person to whom you may have been taking messages of some kind who was named John?

Mrs. ALBERT. Again I invoke the fifth amendment.

Mr. ARENS. Your home, in 1949, was used as a headquarters for the Communist Party underground, was it not?

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. Do you know Robert Hamilton?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the first and the fifth amendments to the Constitution.

Mr. ARENS. You told us a little while ago that prior to your present employment, there was a period of about 3 years, in which you were unemployed, is that correct?

Mrs. ALBERT. That is correct.

Mr. ARENS. During that period of 3 years, what do you mean when you say you were unemployed?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. You were really employed during that period of 3 years, weren't you?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment to the Constitution.

Mr. ARENS. The fact is that all of this period since your graduation from high school you have been in the operation of the Communist conspiracy. If that isn't true, deny it while you are under oath.

Mrs. ALBERT. I invoke the first and the fifth amendments to the Constitution.

Mr. ARENS. By the way, could you tell us where the Chin Red Dragon Restaurant is? Is there such an establishment?

Mr. WILLIS. What is the name?

Mr. ARENS. Chin Red Dragon Restaurant.

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. Why would you invoke the fifth amendment with reference to the Chin Red Dragon Restaurant? Tell this committee.

Mrs. ALBERT. You are asking a trick question, and I have to invoke the fifth amendment.

Mr. ARENS. Tell us what is the trick question. If it is, I will be reprimanded by the committee.

Mrs. ALBERT. You are a lawyer and I am not.

Mr. ARENS. Tell us what it is that makes you uneasy about the Chin Red Dragon Restaurant in Cleveland.

Mrs. ALBERT. I am telling you why I will not answer the question. I invoke the fifth amendment on that question.

Mr. ARENS. The Chin Red Dragon is a place where you, while you were in the underground, had certain rendezvous; isn't that correct?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment.

Mr. ARENS. Are you still in the underground?

Mrs. ALBERT. I invoke the fifth and the first amendments to the Constitution.

May I object to them taking pictures while I am testifying?

Mr. ARENS. I don't believe they are taking pictures.

Mrs. ALBERT. He looked like he was going to.

Mr. ARENS. I believe counsel in this particular case requested there be no pictures taken.

Mr. MILLER. I was present while the request was made by Mr. Day, and I would like to second it with respect to my witness.

Mr. ARENS. The policy of the committee is that if the witness objects to having pictures taken during the testimony, that objection must be honored.

Mr. WILLIS. That is a rule of the committee.

Mr. ARENS. Do you know a man by the name of Gus Hall?

Mrs. ALBERT. I invoke the fifth and the first amendments.

Mr. ARENS. He selected you for an underground operation of the Communist Party, didn't he?

Mrs. ALBERT. I again invoke the fifth and first amendments.

Mr. ARENS. Have you ever broken from the Communist Party?

Mrs. ALBERT. I invoke the fifth and first amendments to the Constitution.

Mr. ARENS. Tell us a little more about your present job. What is the name of the organization, again, that you are identified with?

Mrs. ALBERT. Are you talking about my paid employment, where I work?

Mr. ARENS. Well, let's start with that, yes.

Mrs. ALBERT. The Yeshivath Adath B'nai Israel.

Mr. ARENS. What is that organization?

Mrs. ALBERT. It is an orthodox Jewish religious school.

Mr. ARENS. A moment ago you made reference to a paid employment apparently as distinct from unpaid employment. What employment do you have other than this paid employment that you are telling us about now?

Mrs. ALBERT. I am a mother.

Mr. ARENS. Is there any other employment?

Mrs. ALBERT. I invoke the fifth and first amendments.

Mr. ARENS. Do you have any other income, paid income, other than the income from this religious organization with which you are identified?

(The witness conferred with her counsel.)

Mrs. ALBERT. I invoke the fifth amendment to the Constitution.

Mr. ARENS. How many members are there in this organization in which you are employed?

Mrs. ALBERT. It is not an organization. It is a school.

Mr. ARENS. The establishment. How many members of the faculty or of the organization are there, paid employees, in a comparable status to yourself?

(The witness conferred with her counsel.)

Mrs. ALBERT. There are about 11 faculty members, rabbis, and rabbis' wives, and 400 students.

Mr. ARENS. What are your functions or duties?

Mrs. ALBERT. I am a secretary in the office.

Mr. ARENS. To whom are you a secretary?

Mrs. ALBERT. The head rabbi.

Mr. ARENS. Are there any persons on the faculty or in this school who to your certain knowledge are members of the Communist Party, other than any reference to yourself? Let us eliminate any reference to yourself in this question.

(The witness conferred with her counsel.)

Mrs. ALBERT. Would you repeat the question, please?

Mr. ARENS. Are there any persons employed by this organization which employs you, who, to your certain knowledge, are members of the Communist Party? And we will eliminate from the question, to make it absolutely clear, any reference to yourself.

(The witness conferred with her counsel.)

Mr. WILLIS. Witness, that question is obviously intended very kindly to your organization.

Mrs. ALBERT. I hope so, because they would be very shocked at all this.

Mr. WILLIS. We want the truth, naturally.

Mrs. ALBERT. To my knowledge, no.

Mr. WILLIS. I would hope that that would be the answer. I will accept that.

Mrs. ALBERT. Thank you.

Mr. ARENS. Have you discussed with your employers your appearance here today?

(The witness conferred with her counsel.)

Mrs. ALBERT. I was served a subpena at work, and my employer was right there, and I explained to him.

Mr. ARENS. What did you explain to him?

Mrs. ALBERT. I don't remember my exact words.

Mr. ARENS. Did you tell him whether or not you are a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. ALBERT. I object to that on the ground of the fifth amendment.

Mr. ARENS. Did you have a discussion with your employer on the issue of communism?

Mrs. ALBERT. I object to that on the ground of the first amendment, particularly, and also the fifth amendment.

Mr. ARENS. You recognize, Ma'am, that you are presently under oath?

Mrs. ALBERT. Yes, I do.

Mr. ARENS. And you recognize that if you lie while under oath you can be prosecuted for perjury? Do you recognize that?

Mrs. ALBERT. Yes, I do.

Mr. ARENS. When you are released from the pains and penalties of any perjurious statements, when you are released from your subpena by the chairman of this subcommittee, do you expect to return to your employer and say, in effect, "Of course I am not a Communist, I have never been a Communist, but I wasn't going to tell that witch-hunting House Un-American Activities Committee that fact"?

(The witness conferred with her counsel.)

Mrs. ALBERT. I decline to answer that question on the ground of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest——

Mrs. ALBERT. And the first amendment, my freedom of speech.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. No questions.

Mr. MILLER. May I ask, is the witness excused for the duration of the hearing?

Mr. WILLIS. Yes.

Mr. MILLER. Thank you.

Mr. WILLIS. The subcommittee will stand in recess until 2:30.

(Whereupon, at 12:25 p. m., the committee recessed, to reconvene at 2:30 p. m., the same day.)

AFTERNOON SESSION—MONDAY, NOVEMBER 26, 1956

(Present at the convening of the afternoon session: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will be in order.

Proceed, Mr. Arens.

Mr. ARENS. Will Mrs. Betty Chaka please come forward?

Mr. WILLIS. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. CHAKA. I do.

TESTIMONY OF BETTY CHAKA

Mr. ARENS. Kindly identify yourself, ma'am, by name, residence, and occupation.

Mrs. CHAKA. Do I have to use these?

You are asking me three questions, are you not?

Mr. ARENS. Yes, ma'am. Your name, residence, and occupation.

Mrs. CHAKA. I will answer the first two questions. My name is Mrs. Edward Chaka, and I live at 5415 Caleb Court, Cleveland. On the third question, on occupation, I invoke the fifth amendment and refuse to answer.

Mr. ARENS. How long have you been married, Mrs. Chaka?

Mrs. CHAKA. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Ma'am, you will have to speak a little louder or get closer to the microphone. I couldn't hear you at all.

Mrs. CHAKA. I refuse to answer on the basis of the fifth amendment.

Mr. VELDE. Mr. Chairman, I move that she be directed to answer the last two questions as to her occupation and as to the length of time she has been married.

Mr. WILLIS. Yes.

Since there is no explanation or no reason, you are directed to answer those two questions.

Mrs. CHAKA. I refuse on the previous reasons stated.

Mr. VELDE. How could the answer to a question concerning your residence possibly tend to incriminate you, or lead to an incriminating action against you?

Mrs. CHAKA. I must refuse to answer.

Mr. ARENS. Now, ma'am, what was your maiden name, please?

Mrs. CHAKA. I refuse to answer, as previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. I do order you to answer that question.

Mrs. CHAKA. I again refuse on the basis of the fifth amendment.

Mr. ARENS. Where were you born?

Mrs. CHAKA. I refuse to answer, as previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. Madam, I am afraid you are getting on very dangerous ground for your own security, and I warn you you are subjecting yourself to contempt, or you are simply being indifferent and being in contempt of this committee, which is entitled to know these things that we are talking about. I order you to answer the question, with that admonition.

Mrs. CHAKA. I think that is a matter of opinion, and I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Ma'am, I should like to have your signature at this time on the record, which is necessary for the voucher fee, the witness fee, on this pay voucher.

Mr. Williams, will you kindly submit that voucher to Mrs. Chaka so she may sign it?

Mrs. CHAKA. Is this the usual procedure?

Mr. ARENS. That is the pay voucher, ma'am. I am asking you to sign that pay voucher so that your witness fee may be paid to you.

Mrs. CHAKA. But there is no listing of the expenses.

Mr. ARENS. That will be filled out, yes, ma'am.

Now, tell this committee, if you please, any other names that you have gone under in the course of your life.

(Document marked "Betty Chaka Exhibit No. 1" and filed for information of committee.)

Mrs. CHAKA. I refuse to answer, sir, on the basis stated previously.

Mr. ARENS. Have you ever gone under the name of Jean Horner?

Mrs. CHAKA. I refuse to answer, as previously stated.

Mr. ARENS. Where or in what city are you presently employed?

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question, Ma'am.

Mrs. CHAKA. I refuse, sir, to answer, on the basis of the fifth amendment.

Mr. ARENS. The fact is that you are presently employed under a false name, is that not correct?

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. Have you ever used the name of Jean Horner?

Mrs. CHAKA. I refuse to answer, sir, as previously stated.

Mr. ARENS. I submit to you now an application form for the city hospital of Akron, an application for employment, with the signature of one Jean Horner.

Please submit that to her, Mr. Williams.

I ask you if you will kindly verify the signature appearing there as the signature affixed by yourself under the name of Jean Horner.

(Document shown to witness.)

Mrs. CHAKA. I refuse, sir, to answer, on the basis of the fifth amendment.

(Document marked "Betty Chaka Exhibit No. 2" follows:)

Mr. ARENS. What is your husband's name?

Mrs. CHAKA. I refuse to answer.

BETTY CHAKA EXHIBIT 2

NAME HORNER JEAN DATE 11-15-54
ADDRESS 60 S. ADOLF
TELEPHONE PA 2-5565 X S W D SEP DEPENDENTS —
BIRTH DATE 2-2-17 RACE W
HEIGHT 5'4½" WEIGHT 136 RELIGION PROT.
EDUCATION 6 7 8 9 10 11 X - Dellroville, Ohio
SKILLS
EMPLOYMENT HISTORY
worked in father's Grocery store
as clerk & bookkeeper - all the time
very interested to C. - 11-15-54
SOURCE OF REFERRAL
Course
SOCIAL SECURITY NO 271-34-7557
CITY HOSPITAL OF AKRON PERSONNEL RECORD

Employed 11-16-54
Resigned 2-15-55

THE CITY HOSPITAL OF AKRON
APPLICATION FOR EMPLOYMENT

Social Security No. 271-34-7557

Full Name: Jean E. Horner Maiden Name: Jean Perry (If Married Woman)

Address: 50 S. Adolph Ave. Telephone No. Po 2-3385

Date of Birth: 2/2/17 Age 37 Height: 5'4½ Weight: 136 lbs.

Religion: Lutheran Single ( ) Widowed ( ) Married (X) Divorced ( ) Separated ( )

Number of Dependent Children: — Their Ages: —

Number of Other Dependents: — Their Relationship: —

Nearest Relative: John Horner Relationship: husband

Address: same as above Their Telephone: same

Education: thru high school

Last School Attended: Dillonvale H.S. Ohio

Special Training:

Have You Worked Here Before? No Do You Know Someone who Works Here? No
If So, Who?

Condition of Your Health good Days Lost Last Year For Illness: ?

Last Employer: Fisher's grocery store Position Held: helper, bookkeeper

Address: Dillonvale Salary: From: 12 yrs To: present

Reason For Leaving: moved

Employer: Position Held:

Address: Salary From: To:

Reason For Leaving:

Employer: Position Held:

Address: Salary From: To:

Reason For Leaving:

Military Service: Rank-Branch-Time Reserve Status: Draft Status:

I hereby authorize investigation of all statements in this application. I understand that the successful completion of a physical examination in the Hospital's Personnel Health Clinic is one of the conditions of employment.

Date: Nov. 16, 1954 Signed: Jean Horner

Mr. ARENS. Do you honestly feel that if you told this committee the name of your husband you would be supplying information which might be used against you in a criminal proceeding?

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. A witness may only refuse to answer questions when he or she honestly feels that to supply the answer to the question may subject the person to criminal prosecution. This is the very test of your honesty, madam, and again I admonish you to answer that question. I order you to do it.

Mrs. CHAKA. I refuse, sir, on the basis of the fifth amendment.

Mr. ARENS. Mr. Garfield, would you kindly stand up in the back of the room, please?

Ma'am, please look over your left shoulder at the gentleman who is just standing.

Mr. Garfield testified under oath before this committee this morning and, among other things stated, in effect, that while he was a member of the Communist Party he knew a Betty Ehrhart, which was your maiden name, as a member of the Communist Party. Was he lying or was he telling the truth?

Mrs. CHAKA. I refuse to answer, sir.

Mr. ARENS. Kindly tell this committee whether or not you have ever seen this man before who was just standing there in the front of the courtroom.

Mrs. CHAKA. I refuse to answer that, sir.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you, during the period of about 1948 to 1952, were active as an integral part of the underground apparatus of the Communist conspiracy in Ohio. If that is not true, please deny it while you are under oath.

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. I put it to you as a fact that as late as 1956, this very year, you were a member of the underground apparatus of the Communist conspiracy. If that is not a fact, deny it while you are under oath.

Mrs. CHAKA. I refuse to answer, sir, on the basis of the fifth amendment.

Mr. ARENS. Do you happen to know offhand what your social-security number is?

Mrs. CHAKA. I refuse to answer, sir.

Mr. ARENS. Do you know? Just answer that question whether you know your social-security number.

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. With whom have you conferred respecting your appearance here today since your received your subpena from the committee?

Mrs. CHAKA. I refuse to answer, sir, on the basis of the fifth amendment.

Mr. ARENS. Give us a word, please, about your education. Where were you educated?

Mrs. CHAKA. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer that question.

Mrs. CHAKA. I decline to answer that on the basis of the fifth amendment.

Mr. ARENS. What employment have you had immediately prior to your present employment?

Mrs. CHAKA. I decline to answer that, as previously stated.

Mr. ARENS. Have you had any employment during your adult life, concerning which you can tell the committee without giving information which could be used against you in a criminal proceeding?

Mrs. CHAKA. I decline to answer that, sir, on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness, but I should like to make the

request that the exhibits be appropriately marked and reproduced or incorporated by reference in this record.

Mr. WILLIS. They will be so marked and incorporated.

Are there any questions, Mr. Velde?

Mr. VELDE. No questions, but I would like to make this remark, that I am satisfied that the witness is in contempt of this committee and is in contempt of Congress. I would like to suggest at this time that we recommend to the full committee that she be so cited for contempt in order to maintain the dignity of Congress and the dignity of this committee.

Mr. WILLIS. I think you are entirely correct, in my opinion, and I think the fact that counsel suggested that she be ordered to answer questions so often, it is likewise my opinion that those are matters that we have to take up before the full committee, and that certainly will be done.

You have your opinion about these things. I admonished you as often as I could, but apparently this has been done by your own thoughts, and so be it.

Mrs. CHAKA. Am I through?

Mr. WILLIS. Yes.

Mr. ARENS. Mr. Ed Chaka, come forward and remain standing while the chairman administers an oath to you.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHAKA. I do.

TESTIMONY OF ED CHAKA

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CHAKA. I want to state, the subpena has my name and address, and I will admit to that, and in no other way will I cooperate with this committee, in no shape or form, on the basis of the first and fifth amendments.

Mr. ARENS. What is the name that appears in your subpena, Mr. Chaka?

Mr. CHAKA. The name is Ed Chaka.

Mr. ARENS. Have you always been known by the name of Ed Chaka?

Mr. CHAKA. I refuse to answer that on the basis of the first and fifth amendments.

Mr. ARENS. And your residence, if you please?

Mr. CHAKA. 5415 Caleb Court.

Mr. ARENS. And in what city?

Mr. CHAKA. Cleveland. I take it you knew that.

Mr. ARENS. And how long have you lived there?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. Are you a married man?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. Are you related to the witness who preceded you to the witness stand?

Mr. CHAKA. I refuse to answer that, for the same reason.

Mr. ARENS. And your occupation?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. In what city are you employed?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. I think he should answer, and he is ordered to answer all the questions that you have just asked him. He has shown his attitude, and the record will reflect like a sore thumb his attitude, that he does not intend to cooperate in any shape or form with this committee. That is about as good an indication of his contemptuous attitude that I can imagine.

I mean it sincerely, sir, and you are ordered to answer that question. You can be your own judge. The wheels of justice sometimes spin slowly. You are ordered to answer the question.

By the way, I am doing that because of fairness to all witnesses, to caution them about their rights, so that nobody can say they have been taken by surprise.

Mr. ARENS. Now, sir, will you please answer the question?

Mr. CHAKA. I refuse.

Mr. ARENS. Where were you born?

Mr. CHAKA. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer that question.

Mr. CHAKA. I refuse to.

Mr. ARENS. When were you born?

Mr. CHAKA. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer that question.

Mr. CHAKA. I refuse.

Mr. ARENS. And please tell us what education you have.

Mr. CHAKA. I refuse.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer that question.

Mr. CHAKA. I refuse.

Mr. ARENS. How long have you been engaged in your present employment?

Mr. CHAKA. I refuse to answer on the basis of the first and the fifth.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mr. CHAKA. I refuse.

Mr. ARENS. What employment did you have immediately prior to your present employment?

Mr. CHAKA. I refuse.

Mr. ARENS. Mr. Witness, I want the record to be absolutely clear, so that there can be no possible misunderstanding. Do you honestly feel that if you told this committee the truth respecting the employment which you had immediately prior to your present employment, you would be supplying information which might be used against you in some way in some criminal proceeding?

Mr. CHAKA. I refuse to answer that on the basis——

Mr. ARENS. Do you understand the last question?

Mr. CHAKA. I understand the last question; yes, sir.

Mr. ARENS. And you refuse to answer it?

Mr. CHAKA. That is right.

Mr. ARENS. Mr. Chairman, in order that this record may reflect whether or not this witness is being capricious, arbitrary, whether or not he is invoking the fifth amendment in good faith, I respectfully suggest that he now be ordered and directed to answer that question respecting his apprehensions.

Mr. WILLIS. You are ordered to answer the question. I warn you that that is the test of whether you are being honest or whether you are being contemptuous and capricious, and just wanting to deliberately flout the committee. You are ordered to answer the question.

Mr. CHAKA. I refuse.

Mr. ARENS. Now, Mr. Witness, we lay before you a document which is an employment record of one Edward Chaka, of the Cuyahoga Foundry Co., 4530 East 71st Street, Cleveland, Ohio. Please look at this employment record as Mr. Williams submits it to you, and tell this committee whether or not that is a true and correct representation of your employment record.

(Document marked "Ed Chaka Exhibit No. 1," and filed for the information of the committee.)

Mr. CHAKA. I refuse to identify that on the basis of the first and fifth amendment.

Mr. ARENS. Do you know or have you known a man by the name of Anthony Krchmarek?

Mr. CHAKA. I refuse to answer that on the basis of the first and fifth.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you handled a fund of the Communist conspiratorial underground in the amount of twenty to thirty thousand dollars as a successor to Anthony Krchmarek here in the Ohio area.

Mr. CHAKA. I refuse to answer that on the basis of the first and fifth amendment.

Mr. ARENS. Are you a married man?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. Have you ever used the name of John Horner?

Mr. CHAKA. I refuse to answer that.

Mr. ARENS. Have you ever ——

Mr. CHAKA. That is for the same reason.

Mr. ARENS. Have you ever lived at 50 South Adolph Avenue in Akron?

Mr. CHAKA. I refuse to answer that, for the same reason.

Mr. ARENS. In this employment record which Mr. Williams just displayed to you, I observe here a period in the employment record of some considerable time, from 1951 to 1956, in which it is stated that you were absent from your employment at Cuyahoga Foundry Co., or at the establishment in which you were currently engaged. Is that a true and correct description of the fact?

Mr. CHAKA. I refuse to answer that on the basis of the first and fifth.

Mr. ARENS. In the period that you were absent from your employment at this Cuyahoga establishment, your wife was then working under an assumed name at a hospital in Akron, was she not?

Mr. CHAKA. I refuse to answer that, for the same reason.

Mr. ARENS. Has your wife, to your knowledge, ever gone under the name of Jean Horner?

Mr. CHAKA. I refuse to answer that, for the same reason.

Mr. ARENS. Have you ever served in the United States Army?

Mr. CHAKA. I refuse to answer any questions on the basis of the first and fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be ordered and directed to answer that question.

Mr. WILLIS. How could service in the United States Army possibly arouse fear in you of criminal prosecution? You are ordered to answer that question.

Mr. CHAKA. Do you want to know why I am not answering it?

Mr. WILLIS. You are ordered to answer it.

Mr. CHAKA. Well, I refuse.

Mr. ARENS. Why do you refuse?

Mr. CHAKA. Because you know very well that answer, and I refuse to answer it because it is a leading question to something else. On the basis of the first and fifth amendments, I refuse to answer it.

Mr. ARENS. What do you think it might lead to?

Mr. CHAKA. I don't know what you are leading to.

Mr. ARENS. While you were in the Army, did you engage in any conspiratorial act?

Mr. CHAKA. I refuse to answer any further questions.

Mr. ARENS. While you were in the United States Army, were you under the discipline of the Communist Party conspiracy?

Mr. CHAKA. I refuse to answer on the ground of the first and fifth amendments.

Mr. VELDE. If you were called upon to bear arms for the United States against a foreign enemy at the present time, would you do so?

Mr. CHAKA. I refuse to answer any further questions on the basis of the first and fifth.

Mr. ARENS. Now I lay before you a photostatic copy of the Daily Worker for September 9, 1946 (p. 8). You will observe in this article that Mr. Williams is now laying before you reference there to an Ed Chaka as a candidate for the State legislature on the Communist Party ballot. Please look at that article and tell this committee of the Congress of the United States Government whether or not that is a true and correct description of your designation of September 9, 1946.

(Document marked "Ed Chaka Exhibit No. 2," and filed for the information of the committee.)

Mr. CHAKA. I refuse to discuss that on the ground of the first and fifth amendment.

Mr. ARENS. Now I cause to be laid before you, Mr. Chaka, a document, which is the Communist Daily Worker of March 1, 1948 (pp. 5 and 10) which carries an article entitled "Transit Union Hits Deportations," and this article contains the names of individuals who condemned the wave of deportation actions by the Justice Department, and lists an Ed Chaka, Local 213, A. F. of L. Molders, as one of the individuals who protested. Are you the Ed Chaka alluded to in the article?

(Document marked "Ed Chaka Exhibit No. 3," and filed for the information of the committee.)

Mr. CHAKA. I refuse to answer that for the same reason.

Mr. ARENS. Are you a member of the American Committee for the Protection of Foreign Born?

Mr. CHAKA. I refuse to answer that for the same reason.

Mr. ARENS. Now I lay before you a photostatic copy of an article from the Daily Compass (p. 5, Aug. 2, 1949) entitled "Witness Tells About Communist School," and in this article, which is in 1949, an Edward Joseph Chaka, of Cleveland, a molder, is identified in the article as a Communist and a candidate for the Cleveland, Ohio, City Council. Kindly tell us whether or not you are the person alluded to in that article.

(Document marked "Ed Chaka Exhibit No. 4," and filed for the information of the committee.)

Mr. CHAKA. I refuse to answer that for the same reason.

Mr. ARENS. I would like to have you look over your left shoulder there, please, Mr. Chaka, if you will cooperate with the committee of the Congress.

Mr. Garfield, will you kindly stand up?

Have you ever seen this gentleman before, Mr. Chaka?

Mr. CHAKA. I refuse to answer on the basis of the first and fifth.

Mr. ARENS. Mr. Chaka, this man, Mr. Garfield, took an oath this morning before this committee and testified that while he was a member of the Communist Party, he knew you as a member of that conspiratorial apparatus. While you are under oath now, will you please deny it if it is not true?

Mr. CHAKA. I refuse to answer on the basis of the first and fifth amendment.

Mr. ARENS. Are you now a member of the Communist underground in Ohio?

Mr. CHAKA. I refuse to answer.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you are now a member of the conspiratorial apparatus, the underground, in Ohio.

Mr. CHAKA. I refuse to answer that for the same reason, as given previously.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

I respectfully suggest that the exhibits, if you please, Mr. Chairman, be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. Let them be so marked and incorporated.

Mr. VELDE. I have no questions, but I would like to make the same comments about this witness as I made about his wife. I think we should seriously consider recommending them for contempt of Congress.

I did want to ask you one question: Do you have in your heart contempt for the Un-American Activities Committee?

Mr. CHAKA. Yes.

Mr. VELDE. And do you also feel contempt in your heart for the Congress of the United States?

Mr. CHAKA. I refuse to answer that on the basis of the first and fifth amendments.

Mr. WILLIS. This is the strangest performance I have ever seen. The only answer he responded to was the one showing his contempt.

You will have an opportunity to live with that attitude, I assure you.

That is all.

Mr. ARENS. Mr. Chairman, the next witness, if you please, is Mr. Hy Lumer.

Please come forward.

Mr. LUMER. Mr. Chairman, before I am sworn, I would like to make a request.

My attorney, Mr. Stephen M. Young, is not able to be here today. I would like to ask whether my testimony could be postponed until tomorrow morning when he can be here.

Mr. WILLIS. Where is your attorney from?

Mr. LUMER. Cleveland.

Mr. WILLIS. And he will be here tomorrow?

Mr. LUMER. He will be here. He is tied up in common pleas court today and was unable to get away.

Mr. WILLIS. You understand you are under subpena?

Mr. LUMER. Yes.

Mr. ARENS. What is your counsel's name?

Mr. LUMER. Stephen M. Young.

Mr. WILLIS. All right. That will be tomorrow morning, when we convene. I believe that will be 10 o'clock.

Mr. ARENS. The next witness, if you please, is Edna A. Kaufman. Kindly come forward.

Mr. WILLIS. Will you please raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KAUFMAN. I do.

TESTIMONY OF EDNA A. KAUFMAN; ACCOMPANIED BY COUNSEL, CHARLES R. MILLER

Mr. ARENS. Kindly identify yourself, if you will, please, by name, residence, and occupation.

Mrs. KAUFMAN. I am Mrs. Edna A. Kaufman, residence Route 1, Mount Gilead, Ohio.

Mr. ARENS. And your occupation, please?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. Housewife.

Mr. ARENS. Please tell us where you were born.

Mrs. KAUFMAN. Clarence, Iowa.

Mr. ARENS. And a word, if you please, about your early education.

Mrs. KAUFMAN. My district school, grade school, in a one-room school in Kansas. My high school in a Friends Academy for 3 years in Kansas. The fourth year in a Wesleyan Methodist College, in New York State. My college work, 3 years, in this Wesleyan Methodist College, in New York State. That is at Bolton, N. Y.

Mr. ARENS. You are appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mrs. KAUFMAN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mrs. KAUFMAN. May I finish my education?

Mr. ARENS. I beg your pardon, I thought you had. Let us get the counsel's name on the record. You are represented by counsel?

Mrs. KAUFMAN. I am represented by counsel.

Mr. ARENS. Kindly identify yourself, Counsel.

Mr. MILLER. Charles R. Miller, 609 Public Square Building, Cleveland, Ohio.

Mr. ARENS. Now, please complete your dissertation of your education.

Mrs. KAUFMAN. My fourth year at college for an A. B. degree, at the Free Methodist School or College in Greenville, Ill.

Mr. ARENS. Now tell us, if you please, what was your first occupation after you completed your formal education.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. Sir, I decline to answer that question on the ground of the protection of the first and fifth amendments.

Mr. ARENS. When did you complete your formal education?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. Of course, you are directed to answer that question.

Mr. MILLER. Would you repeat the question?

Mr. ARENS. The question is, Counsel, just when she completed her formal education.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. That was in 1916, at Greenville College, Illinois.

Mr. ARENS. And where was your residence at that time?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question, sir, on the basis of the first and fifth.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. The question was, Where was her residence in 1916?

Mr. ARENS. Yes, sir; when she completed her formal education, in what city, what State, where was her residence?

Mr. WILLIS. You are sure you are declining to answer that question? You are ordered to answer it.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. How long have you lived at your present address?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question on the ground of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness, at her peril, be ordered and directed to answer that question. It is simply how long she has lived where she presently resides.

Mr. WILLIS. You are ordered to answer the question. You may consult with counsel. As our counsel properly puts it, you may decline it, but you are doing it at your peril.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I invoke my rights under the first and fifth amendments.

Mr. ARENS. What is the nature of the place where you live? Is it a house, a farm, an apartment, or what is it? Where do you live? You told us you lived at Mount Gilead, Ohio.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. It is at Route 1, Mount Gilead, Ohio. Naturally, it is in the country.

Mr. ARENS. Is it a farm?

Mrs. KAUFMAN. It is a farm, with a house on it.

Mr. ARENS. How many acres is it?

Mrs. KAUFMAN. 120.

Mr. ARENS. Do you and your husband own the farm?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. What is the size of the house on the farm? Just give us a fair estimate or fair description of the size of the place.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer the question, sir, on the same grounds.

Mr. ARENS. In whose name is the farm?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. That is a matter of public record at the recorder of deeds, and her counsel should know that.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question, also.

Mr. ARENS. How much did you pay for the farm?

Mrs. KAUFMAN. I decline to answer.

Mr. ARENS. Do you live there as a tenant?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. Yes, I decline to answer that question in regard to the homestead.

Mr. ARENS. How many acres are there?

Mrs. KAUFMAN. I have told you.

Mr. ARENS. Tell me again, please.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer it again on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, the lady has told me, has recited to me a little while ago, on the record, the acreage of the farm, and I think this is evidence that she is being capricious here with this committee.

Please tell us again the acreage of that farm.

Mrs. KAUFMAN. On the advice of my attorney, I will tell you again, 120 acres.

Mr. ARENS. What do you produce on the farm?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer this question on the grounds of the fifth amendment.

Mr. ARENS. Do you grow crops on the 120 acres?

Mrs. KAUFMAN. I have told you I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. KAUFMAN. I decline.

Mr. ARENS. How many bedrooms does the farmhouse have?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I didn't understand you.

Mr. ARENS. How many bedrooms does the farmhouse have?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer that question. Am I too close to the microphone?

Mr. ARENS. No; you are doing fine, except that you won't answer our questions.

For what purpose is the farmhouse and the farm used other than for what we would regard as normal farming operations?

Mrs. KAUFMAN. I decline to answer that question.

Mr. ARENS. The truth is, ma'am, and I put it to you as a fact and ask you while you are under oath now to deny it if it is not true, that your farm is not a bona fide farm, but it is a nerve center for the underground operations for the conspiratorial operations of the Communist Party in Ohio. Deny it while you are under oath.

Mrs. KAUFMAN. I decline to answer the question on the basis of the fifth amendment.

Mr. ARENS. Where did you get the money to buy that farm?

(The witness conferred with her counsel.)

Mrs. KAUFMAN. That answer cannot be given on the basis of the protection of the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee where you got the money to buy that farm you would be supplying information that could be used against you in a criminal proceeding?

Mrs. KAUFMAN. I refuse to answer that.

Mr. ARENS. The truth is you got $20,000 from the Communist conspiracy under Communist direction to purchase that farm, did you not?

Mrs. KAUFMAN. I refuse to answer such an insane question.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you received funds from the Communist Party for the purpose of purchasing that farm. If that is not true, deny it now while you are under oath.

Mrs. KAUFMAN. I stand on my ground on the fifth amendment and deny answer to the question.

Mr. ARENS. Where did you live in 1952? You have told us where you live now. Where did you live in 1952?

Mrs. KAUFMAN. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. WILLIS. You are ordered to answer the question.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. I decline to answer the question on the same grounds.

Mr. ARENS. Tell us the social groups or clubs that you have been a member of in the course of the last few years.

Mrs. KAUFMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Have you ever heard of an organization called the Massillon Club?

Mrs. KAUFMAN. I decline to answer the question, on the ground of the fifth amendment.

Mr. ARENS. The fact is you have been chairman of the Communist Party operation known as the Massillon Club; isn't that correct?

Mrs. KAUFMAN. I decline to answer the question on the grounds of the fifth amendment.

Mr. ARENS. In what county is this farm?

Mrs. KAUFMAN. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed, at her peril, to answer that question.

Mr. WILLIS. You are ordered to answer the question.

Mrs. KAUFMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. I respectfully suggest you might want to confer with your counsel on that question, ma'am.

(The witness conferred with her counsel.)

Mrs. KAUFMAN. May I have the question again, please?

Mr. ARENS. In what county is this farm located?

Mrs. KAUFMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly apprehend, and I admonish you to pay particular attention to this question, ma'am, because it is very important, do you honestly apprehend that if you told this committee, while you are under oath, the county in which this farm is located, you would be supplying information which might be used against you in a criminal proceeding?

Mrs. KAUFMAN. I decline to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. KAUFMAN. I respectfully decline to answer the question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Hy Lumer?

Mrs. KAUFMAN. I refuse to answer.

Mr. ARENS. Ed Chaka?

Mrs. KAUFMAN. I refuse to answer——

Mr. ARENS. Ed Likover?

Mrs. KAUFMAN. All of these on the ground of the fifth amendment.

Mr. ARENS. Robert and Mildred Hamilton?

Mrs. KAUFMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Mr. Garfield, would you kindly stand in the front of the courtroom?

Mrs. Kaufman, kindly look over your left shoulder. Look at the gentleman who is standing and tell this committee whether or not you have ever seen him before.

Mrs. KAUFMAN. Please, a point of order. May I stand? I have trouble with my arthritis.

Mr. ARENS. Yes, ma'am. Walk over there and look at him so there will be no mistake. Walk right over there.

Mrs. KAUFMAN. I can see him very well right now.

Mr. ARENS. Can you see him all right?

Mrs. KAUFMAN. He looks very nice.

Mr. ARENS. Tell us, have you ever seen him before?

Mrs. KAUFMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Mr. Garfield, while he was under oath, laid his liberty on the line this morning before this committee, and identified you as a person known by him to have been a member of the Communist conspiratorial apparatus. Was he lying or was he telling the truth?

Mrs. KAUFMAN. I refuse to answer that question on the ground of my protection under the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were one time chairman of the Stark County Communist Party organization.

Mrs. KAUFMAN. I decline to answer the question under my rights under the fifth amendment.

Mr. ARENS. And that was in 1953.

Mrs. KAUFMAN. I decline to answer the question under the grounds of my immunity of the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. KAUFMAN. I decline to answer the question on the grounds of the fifth amendment.

Mr. ARENS. When did you first meet your counsel?

Mrs. KAUFMAN. I decline to answer the question under the protection of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question.

Mrs. KAUFMAN. I refuse to answer the question, under the ground of my protection under the fifth amendment.

Mr. ARENS. Was your counsel assigned to you by persons known by you to be members of the Communist Party?

Mrs. KAUFMAN. I decline to answer the question under my protection under the fifth amendment.

Mr. ARENS. Was your counsel engaged for you by persons known by you to be members of the Communist Party?

Mrs. KAUFMAN. I refuse to answer the question under the protection of the fifth amendment.

Mr. ARENS. I would respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. Does that complete your examination?

Mr. ARENS. If you please, yes, sir.

Mr. WILLIS. Mr. Velde?

Mr. VELDE. I have nothing to say except that I do not think anything has taken place here in this examination of this witness that would reflect upon the loyalty of the witness' counsel in any way.

Mr. WILLIS. Certainly not.

Mr. MILLER. Thank you, Mr. Velde, and Mr. Chairman.

Mr. ARENS. There has been no suggestion on the part of the committee that we have any information respecting the activities of the counsel. But it certainly, it seems to me, would raise a query in the minds of any listener to this testimony for counsel to sit by a witness and permit her or advise her, admonish here, to invoke the fifth amendment with reference to any relationship she may have had with counsel.

Mr. MILLER. May I reply to that?

Mr. ARENS. That is, if that invocation is in good faith.

Mr. WILLIS. The witness is excused.

Mr. MILLER. Thank you, Mr. Chairman.

Mr. WILLIS. Call your next witness.

Mr. ARENS. Mr. Harold Mailman, please come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAILMAN. I do.

TESTIMONY OF HAROLD MAILMAN, ACCOMPANIED BY COUNSEL, ROBERT M. ANDERSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MAILMAN. Harold Mailman, 448 Fairgreen Avenue, Youngstown, Ohio. I am a warehouseman.

Mr. ARENS. I didn't get your occupation, sir.

Mr. MAILMAN. I am a warehouseman.

Mr. ARENS. Engaged where?

Mr. MAILMAN. At the Ohio Notion & Paper Co.

Mr. ARENS. You are appearing today, Mr. Mailman, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. MAILMAN. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. MAILMAN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSON. Robert M. Anderson, 401 Terminal Building, Youngstown, Ohio.

Mr. ARENS. Where were you born, Mr. Mailman?

(The witness conferred with his counsel.)

Mr. MAILMAN. New York City.

Mr. ARENS. When?

Mr. MAILMAN. January 30, 1923.

Mr. ARENS. And give us, please, sir, a brief sketch of your educational background?

Mr. MAILMAN. I attended public schools in New York City, I attended high school in New York City, and I am a graduate of New York University, cum laude, and I hold a master's degree from Columbia University.

Mr. ARENS. And when did you receive your degree from New York University?

Mr. MAILMAN. I think it was October 1949.

Mr. ARENS. In what course?

Mr. MAILMAN. It was from the School of Education, preprofessional social work.

Mr. ARENS. And I believe you said you had also a master's degree?

Mr. MAILMAN. That is correct.

Mr. ARENS. And when did you receive that, and in what course?

Mr. MAILMAN. I received my master's degree in, I believe it was, June 1953, from the Columbia University.

Mr. ARENS. In what course?

Mr. MAILMAN. The New York School of Social Work, as a social worker.

Mr. ARENS. Now, please tell us, if you will do so, the occupation that you first engaged in after you completed your formal education?

(The witness conferred with his counsel.)

Mr. MAILMAN. I must decline to answer on the basis that I cannot be compelled to testify against myself.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee, while you are under oath, the occupation in which you were engaged immediately after you completed your formal education, that you would be supplying information which might be used against you in a criminal proceeding?

Mr. MAILMAN. I must reassert my rights under the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be advised to consult with his counsel, because this is an important question, to determine whether or not the witness is in good faith invoking the fifth amendment, because the courts have said repeatedly that the fifth amendment may be invoked only if the witness honestly apprehends that his answer would supply information that might be used against him in a criminal proceeding. I am trying to test whether or not the witness is invoking the fifth amendment on the basis of good faith.

(The witness conferred with his counsel.)

Mr. MAILMAN. I am not sure——

Mr. ARENS. I will repeat the principal question. Counsel seems to be uncertain about it.

Mr. ANDERSON. Counsel is not uncertain. The witness is uncertain.

Mr. ARENS. Counsel, explain it to the witness if counsel is not uncertain.

Mr. ANDERSON. Is the situation that you have asked for a ruling by the committee and it hasn't come yet? Didn't you ask the committee to require the witness to answer?

Mr. WILLIS. Yes, sir.

Mr. ANDERSON. I beg your pardon. I didn't hear the ruling.

(The witness conferred with his counsel.)

Mr. MAILMAN. Mr. Willis, I should like this committee to know that I claim the privilege of the fifth amendment in good faith, and I would not do otherwise.

Mr. ARENS. To determine whether or not you are invoking the fifth amendment in good faith, may I ask you this question. Do you honestly apprehend that if you told this committee, while you are under oath, the employment in which you were engaged immediately after you completed your formal education, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. MAILMAN. Mr. Chairman, I understand that to be the same question as previously offered to me by your counsel, and my answer is still the same.

Mr. ARENS. I want the record, if you please, Mr. Chairman, to reflect that this witness is ordered and directed to answer that last principal question.

Mr. WILLIS. Yes; you are ordered to answer it.

(The witness conferred with his counsel.)

Mr. MAILMAN. I must reiterate my position and reassert my right not to incriminate myself, as guaranteed by the fifth amendment to the Constitution.

I must amend that to assure the committee that I am doing this in good faith.

Mr. ARENS. How long did you pursue the occupation in which you were engaged immediately after the completion of your formal education?

Mr. MAILMAN. I must decline to answer that question on the grounds previously stated.

Mr. WILLIS. You do not have to. Do you? You say you must do it. There is no compulsion. Do you choose to do it?

Mr. MAILMAN. My honor causes me to do so, sir.

Mr. ARENS. Your what?

Mr. MAILMAN. I do decline to answer the question.

Mr. ARENS. I didn't get the last that you said a moment ago before your counsel hit you on the arm. What was that?

Mr. MAILMAN. I decline to answer the question —

Mr. ARENS. Just tell us what you said a moment ago, just before your counsel nudged you there on the arm.

Mr. MAILMAN. I am not sure that I remember.

Mr. ARENS. Then let us pause.

Mr. Reporter, would you kindly read back the answer to the question that he gave just before counsel grabbed him on the arm?

(The reporter read from his notes as requested.)

Mr. ARENS. Did you say your honor causes you to decline to answer certain questions before this committee?

Mr. MAILMAN. I decline to elucidate on my answer.

Mr. ARENS. Have you changed occupations since you completed your formal education?

Mr. MAILMAN. I must reassert my right under the fifth amendment of the Constitution not to bear witness against myself ——

Mr. ARENS. Do you think you would be bearing witness against yourself if you told this committee whether or not you have changed occupations since the completion of your formal education?

Mr. MAILMAN. I must decline to answer that question on the basis of the fifth amendment and the first amendment.

Mr. ARENS. How long have you been engaged at your present employment?

Mr. MAILMAN. Approximately since March of this year.

Mr. ARENS. And where were you employed immediately prior to your present employment?

Mr. MAILMAN. I have already declined to answer that question, and I further decline to answer that question on the grounds previously stated.

Mr. ARENS. Is there any employment in which you have been engaged since the completion of your formal education, concerning which you can tell this committee without giving information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. MAILMAN. I have already answered the question put to me by counsel regarding my present occupation, and beyond that I decline to answer on the basis of the protection of the fifth and first amendment.

Mr. ARENS. I am causing to be laid before you, Mr. Mailman, a document which is a report of all contributions and expenditures received and made by the Progressive Party for the period from August 3, 1948, and including August 31, 1948, which we have marked "Mailman Exhibit No. 1." The next one, "Mailman Exhibit No. 1–A," is a report of all contributions and expenditures received and made by the National Wallace for President Committee for the period from June 1, 1948, and including August 31, 1948. Kindly look at those and tell us whether or not you are the Harold Mailman alluded to in those documents.

(The witness conferred with his counsel.)

Mr. MAILMAN. I must decline to answer on the basis of the protection and immunity of the fifth amendment.

(Documents marked "Mailman Exhibit No. 1" and "Mailman Exhibit No. 1–A," respectively and filed for information of committee.)

Mr. ARENS. Have you been associated with the committee of Wallace for President (National Wallace for President Committee)?

Mr. MAILMAN. I must decline to answer that question.

Mr. ARENS. How about Mildred Blauvelt; did you ever know her?

Mr. MAILMAN. I must decline to answer that question.

Mr. ARENS. Mrs. Mildred Blauvelt took an oath before the Committee on Un-American Activities last year and testified, among other things, that while she was a member of the Community Party, she knew you, Harold Mailman, as a member of the Jay-Smith Club of the Brooklyn Communist Party. Was she lying or was she telling the truth?

(The witness conferred with his counsel.)

Mr. MAILMAN. I must decline to answer.

Mr. ARENS. Are you engaged in any activity at your present establishment other than the activity for which you receive your regular pay?

Mr. MAILMAN. I must decline to answer.

Mr. ARENS. The fact is, is it not, that you are part of the Communist underground apparatus? If that isn't so, deny it while you are under oath.

Mr. MAILMAN. I must decline to answer.

Mr. WILLIS. What are your duties as warehouseman? Exactly what do you do?

(The witness conferred with his counsel.)

Mr. MAILMAN. My duties as a warehouseman are to fill orders for merchandise and send them out.

Mr. ARENS. Do your present employers know of your Ph. D. degree in social work—your master's degree in social work from Columbia University as part of your qualifications for this job as warehouseman?

Mr. MAILMAN. Yes.

Mr. ARENS. Have you had any discussion with your employers respecting your appearance before this committee?

Mr. MAILMAN. I must decline to answer on the basis that this violates my privacy and that it may tend to incriminate me, and on the first amendment of the Constitution, I believe that the Congress has exceeded its powers——

Mr. ARENS. I didn't get that last. Pardon?

Mr. MAILMAN. I believe that the Congress, in addition to the reasons already stated, I also believe that the Congress has exceeded its powers in holding such hearings.

Mr. ARENS. This whole proceeding, you think, is illegal, is that correct?

Mr. MAILMAN. I am not an attorney.

Mr. ARENS. I just didn't quite understand your objection there. You recognize you are presently under oath, don't you, Mr. Mailman?

Mr. MAILMAN. Yes, I do.

Mr. ARENS. And you recognize you can be prosecuted for perjury if you lie to this committee, don't you?

Mr. MAILMAN. I think I understand what the law is.

Mr. ARENS. Do you expect, after you are released from the pains and penalties of perjury, under your oath, to step out into the hall or go back to your employers and say "Of course I am not a Communist agent, of course I have never been a Communist agent, but I am not going to tell that witch-hunting committee, that Fascist, labor-busting, Un-American Committee, about the things of my life"? Is that the sense of what you propose to do?

(The witness conferred with his counsel.)

Mr. MAILMAN. I have no such intention, Mr. Counsel. My only intention is to go back to my job so that I can earn a living to support my wife and three children.

Mr. ARENS. Have you discussed with your employers whether or not you are a member of the Communist underground?

Mr. MAILMAN. I decline to answer that question.

Mr. ARENS. Mr. Lumer, the witness who was on the stand a few moments ago, would you stand a moment, please?

Look around there, Mr. Mailman, at Mr. Lumer back there. Can you see him all right?

Mr. MAILMAN. I think I can speak up well enough.

Mr. ARENS. All right, then. Speak up like a red-blooded American and tell this committee whether or not you have ever seen Hyman Lumer before.

Mr. MAILMAN. I must decline to answer the question on the ground of the protection of the fifth amendment.

Mr. ARENS. The fact is that you and Lumer have been part of the same conspiratorial apparatus, isn't that correct?

Mr. MAILMAN. I must decline for the same grounds.

Mr. ARENS. Do you know Ed Chaka?

Mr. MAILMAN. I decline to answer that question on the same grounds.

Mr. ARENS. The committee has a subpena out for a man by the name of Ed Likover, who is in the underground, and we cannot find him. I am sure that a patriotic man would like to help us find a person who is in the Communist underground. Tell us, do you know where we can find Ed Likover?

Mr. MAILMAN. I decline to answer the question on the ground previously stated.

Mr. WILLIS. Would you tell us if you knew?

Mr. MAILMAN. I decline to answer the question on the grounds previously stated.

Mr. ARENS. There is another man in the Communist underground that we haven't been able to serve with a subpena. Maybe you could

help your Government in this death struggle, cold war period, and tell us where we could find Robert Hamilton. Could you tell us that?

Mr. MAILMAN. I decline to answer the question on the grounds previously stated.

Mr. ARENS. What about Joe Kamen? Do you know where he is?

Mr. MAILMAN. I must decline to answer the question on the grounds previously stated.

Mr. ARENS. And Martin Chancey, do you know where he is?

Mr. MAILMAN. I must decline to answer the question on the grounds previously used.

Mr. ARENS. What name have you used besides the name you use today? Have you ever used any other name?

Mr. MAILMAN. I must decline to answer the question on the ground previously stated.

Mr. ARENS. Have you ever served in the Armed Forces of your Government?

(The witness conferred with his counsel.)

Mr. MAILMAN. Yes.

Mr. ARENS. During what period of time were you in the Armed Forces?

Mr. MAILMAN. Gosh, I think it was July 1943 to December 31, 1945.

Mr. ARENS. And where did you serve?

Mr. MAILMAN. I served in both the European theater of operations and the western Pacific theater of operations.

Mr. ARENS. Did you have a commission?

Mr. MAILMAN. No.

Mr. ARENS. As a prerequisite to your service or part of your induction, did you take an oath to support and defend the Constitution of the United States?

Mr. MAILMAN. I did.

Mr. ARENS. And at the very moment that you took that oath, were you a member of an organization dedicated to the destruction of the Constitution of the United States?

Mr. MAILMAN. I must decline to answer the question on the grounds previously stated.

Mr. ARENS. Did you ever harbor in your home this man who stood up back there, this Mr. Hyman Lumer? Did you ever keep him at your home?

Mr. MAILMAN. I must decline to answer on the grounds previously stated.

(The witness conferred with his counsel.)

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mr. MAILMAN. I must decline to answer the question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness. I should like to make the request that the exhibits, which we have displayed to the witness, be appropriately marked and incorporated in this record by reference.

Mr. WILLIS. They will be so marked, received, and incorporated.

Are there any questions?

Mr. VELDE. If at the present time you were called upon to serve in the armed services of the United States, would you willingly do so?

(The witness conferred with his counsel.)

Mr. MAILMAN. Yes, Mr. Velde.

Mr. VELDE. Would you tell me what the term "colonization" means as used by the Communist Party of the United States?

Mr. MAILMAN. I decline to answer the question, Mr. Velde, on the grounds previously stated.

Mr. VELDE. That is all.

Mr. WILLIS. That is all.

Mr. ANDERSON. Is this witness excused from the subpena?

Mr. WILLIS. Yes.

We will take a 5-minute recess.

(Brief recess.)

(At the taking of the recess the following members were present: Representatives Willis and Velde.)

Mr. WILLIS. The committee will come to order.

Mr. ARENS. Mr. Spiridon Comanita.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COMANITA. I do.

Miss FURRY. May I call counsel's attention to the fact that at the beginning of this session I objected to any pictures being taken of my client during the session here, and I would like to remind the counsel of that.

Mr. ARENS. Yes, ma'am.

TESTIMONY OF SPIRIDON COMANITA, ACCOMPANIED BY COUNSEL, THELMA C. FURRY

Mr. ARENS. Please, sir, identify yourself by name, residence, and occupation.

Mr. COMANITA. Spiridon Comanita, a tailor by trade, dry cleaner and tailor.

Mr. ARENS. Where do you live?

Mr. COMANITA. I decline to answer that on the first and fifth amendments.

Mr. ARENS. I don't think you understood me. Where do you live? In what city?

(The witness conferred with his counsel.)

Miss FURRY. At this time, may I ask the record to show this man is represented by counsel?

Mr. ARENS. We will take care of that in due time.

Please tell us where you live.

We are trying to get the witness identified first.

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be ordered and directed to answer the question as to the city in which he lives.

Mr. WILLIS. You are directed to answer that question, sir.

(The witness conferred with his counsel.)

Mr. COMANITA. I live in the city of Youngstown, Ohio.

Mr. ARENS. You are appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

(The witness conferred with his counsel.)

Mr. COMANITA. Yes; I am.

Mr. ARENS. And you are represented by counsel?

(The witness conferred with his counsel.)

Mr. COMANITA. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Miss FURRY. I am Thelma C. Furry, from Akron, Ohio, Second National Building. At this time, I should also like the record to show that I am challenging the jurisdiction of this committee at this time, on the basis of the quorum question and of its general powers also.

Mr. ARENS. Now, sir, where were you born?

(The witness conferred with his counsel.)

Mr. COMANITA. I was born in Hungary.

Mr. ARENS. You were born in Hungary; is that correct?

Mr. COMANITA. I was born in Hungary; yes.

Mr. ARENS. When did you come to the United States?

(The witness conferred with his counsel.)

Mr. COMANITA. 1908 I come.

Mr. ARENS. I beg your pardon?

Mr. COMANITA. 1908.

Mr. ARENS. Are you a citizen of the United States?

(The witness conferred with his counsel.)

Mr. COMANITA. I am a citizen.

Mr. ARENS. Are you a citizen by naturalization?

Mr. COMANITA. By naturalization, yes.

Mr. ARENS. When were you naturalized?

Mr. COMANITA. In 1923, I think.

Mr. ARENS. Where were you naturalized?

Mr. COMANITA. The city of Youngstown, Ohio.

Mr. ARENS. Where did you first live when you came to the United States?

(The witness conferred with his counsel.)

Mr. COMANITA. In Gary, Ind.

Mr. ARENS. And how long did you live there?

(The witness conferred with his counsel.)

Mr. COMANITA. I don't remember.

Mr. ARENS. Was it a matter of years, a matter of months, or weeks or days? About how long was it? You can tell us that.

(The witness conferred with his counsel.)

Mr. COMANITA. Three or 4 years. I don't know. I am not sure.

Mr. ARENS. About what period of time was it that you moved from Gary, Ind.?

(The witness conferred with his counsel.)

Mr. COMANITA. 1918.

Mr. ARENS. In what occupation were you engaged in Gary, Ind.?

(The witness conferred with his counsel.)

Mr. COMANITA. I was working as bartender in Gary.

Mr. ARENS. I couldn't understand you.

Mr. COMANITA. Bartender. I was tending bar.

Mr. ARENS. Tending a bar?

Mr. COMANITA. Yes, sir.

Mr. ARENS. All right.

Where did you move in 1918 when you left Gary, Ind.?

(The witness conferred with his counsel.)

Mr. COMANITA. Warren, Ohio.

Mr. ARENS. Warren, Ohio?

Mr. COMANITA. Warren, Ohio, yes.

Mr. ARENS. And in what occupation did you engage in Warren, Ohio?

(The witness conferred with his counsel.)

Mr. COMANITA. I was in the real-estate business, selling lots.

Mr. ARENS. Is that the only occupation in which you were engaged in Warren, Ohio?

(The witness conferred with his counsel.)

Mr. COMANITA. A salesman on commission, that is all.

Mr. ARENS. How long did you live in Warren, Ohio?

Mr. COMANITA. I can't remember all those things.

Mr. ARENS. Was it a matter of years, a matter of months?

Mr. COMANITA. A year and a half or two. I don't know. I am not sure.

Mr. ARENS. Please raise your voice.

Mr. COMANITA. A year and a half or two. I am not sure, because I was traveling.

Mr. ARENS. Where did you move from Warren, Ohio?

Mr. WILLIS. Would you suspend a moment, Counsel?

Mr. ARENS. Mr. Witness, we will be in recess for a few moments.

Mr. WILLIS. We will have a very brief recess.

(Brief recess.)

(At the taking of the recess, the following members were present: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will be in order.

Counsel will proceed.

Mr. ARENS. How long did you live in Warren, Ohio?

Mr. COMANITA. I was there maybe around 2 years or something. I was traveling.

Mr. ARENS. I understand. Where did you move to after you left Warren?

Mr. COMANITA. Pittsburgh, Pa.

Mr. ARENS. What did you do in Pittsburgh?

Mr. COMANITA. I worked with Jones & Laughlin, for a while, and then after that I started to sell suits on the road, traveling.

Mr. ARENS. And how long did you headquarter in Pittsburgh?

Mr. COMANITA. Well, I think around 2 years, or something like that, I don't know, and then I came, in 1927, I came and established myself here in Youngstown, Ohio.

Mr. ARENS. And you have been here ever since 1927?

Mr. COMANITA. Yes.

Mr. ARENS. Are you connected with the United Cultural Association?

(The witness conferred with his counsel.)

Mr. COMANITA. I use the first and fifth amendments, and I decline to answer that question.

Mr. ARENS. I lay before you, Mr. Comanita, the articles of incorporation of the United Cultural Association, in 1947, and the articles of incorporation of this organization lists you as a trustee, and on that document that is now being displayed to you there are a number of signatures, including the signature of yourself. Kindly verify that for the purpose of this record of the committee.

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer because the record speaks for itself.

Mr. WILLIS. That is not a valid answer. You are declining because it speaks for itself. Is that your position?

(The witness conferred with his counsel.)

Mr. ARENS. I respectfully suggest, Mr. Chairman, that these articles of incorporation be incorporated in our record.

Mr. WILLIS. Let them be so incorporated.

(Document marked "Comanita Exhibit No. 1" follows:)

COMANITA EXHIBIT 1

202915

RECEIVED
JUL 7 1947
EDWARD J. HUMMEL
SECRETARY OF STATE

RECEIVED
JUL - 2 1947
EDWARD J. HUMMEL
SECRETARY OF STATE

Articles of Incorporation

OF

UNITED CULTURAL ASSOCIATION

The undersigned, a majority of whom are citizens of the United States, desiring to form a corporation, not for profit, under the General Corporation Act of Ohio, do hereby certify:

FIRST. The name of said corporation shall be UNITED CULTURAL ASSOCIATION

SECOND. The place in this State where the principal office of the corporation is to be located is

Youngstown in Mahoning County.
(City, Village or Township)

THIRD. The purpose or purposes for which said corporation is formed are:

1. To promote social intercourse and fellowship among its members.
2. To maintain a club house and club rooms for their use and entertainment.
3. To acquire property essential to the purposes for which the association is formed, and to sell and dispose of any property so acquired.
4. To foster and to promote better understanding between minority groups, to promote their social activities and education al activities, and to promote cultural interests.

FOURTH. The following persons shall serve said corporation as trustees until the first annual meeting or other meeting called to elect trustees.

1808 Wilson Ave. Youngstown, O. Spiridon Comanita
2401 Fulton Ave. Youngstown, O. Eli Nadrich
2536 Belden Ave. Youngstown, O. Theodore Pavefak
416 W. Chicago Ave. Youngstown, O. Pauline Taylor

IN WITNESS WHEREOF, We have hereunto subscribed our names, this 1st day of July, 19 47

Spiridon Comanita
Eli Nadrich
Theodore Pavefak
Pauline Taylor

APPROVED
FOR FILING
E.F.H.
DATE 7-7-47
Fee 25.00

THE STATE OF OHIO, COUNTY OF Mahoning ss.

Personally appeared before me, the undersigned, a Notary Public, in and for said county, this 1st day of July, 19 47, the above named Spiridon Comanita, Eli Nedrich, Theodore Ramonek, and Pauline Taylor, who each severally acknowledged the signing of the foregoing articles of incorporation to be his free act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal on the day and year last aforesaid.

L. C. Hartwell
Notary Public
L. C. HARTWELL, Notary Public
My Commission Expires Aug. 20, 1948

(See Sections 8623-97 and 8623-98 of the General Code.)

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, TED W. BROWN,

Secretary of State of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original record now in my official custody as Secretary of State, and found to be true and correct, of the

ARTICLES OF INCORPORATION
OF
UNITED CULTURAL ASSOCIATION

filed in this office on the 7th *day of* July *A. D.* 1947
and recorded in Volume 527 *, Page* 359 *, of the Records of Incorporations.*

WITNESS my hand and official seal at Columbus, Ohio, this 18th *day of* October *A. D. 19* 56

Ted W. Brown
TED W. BROWN
Secretary of State

Mr. COMANITA. Using the first and fifth amendments, and the record speaks for itself.

Mr. ARENS. Now I cause to be exhibited to you certain documents which are signature cards with the Mahoning National Bank, in the name of the United Cultural Association. These signature cards contain, among other signatures, your signature as one authorized to sign checks for the United Cultural Association. Please look at those signatures and tell this committee if you will kindly verify their authenticity?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer that.

(Document marked "Comanita Exhibits Nos. 2, 3, and 4," respectively, follow:)

COMANITA EXHIBIT 2

United Cultural Association

SIGNATURE Spiridon Comanita

SIGNATURE

ADDRESS 1809 Wilson ave

BUSINESS (2) sig required

REMARKS Temp Card

PHONE | DATE SEP 2 1947 | FIRST DEP. 25

UNITED CULTURAL ASSOCIATION

COMANITA EXHIBIT 3

United Cultural Association

Pres. SIGNATURE Michael Joggy 702 Lexington

Treas SIGNATURE Spiridon Comanita

ADDRESS 1809 Wilson ave

BUSINESS Inc. Benefit

REMARKS Both must sign

PHONE 36734 | DATE Sept. 29, 1947 | FIRST DEP. 25.00

UNITED CULTURAL ASSOCIATION

COMANITA EXHIBIT 4

United Cultural Association

SIGNATURE Spiridon Comanita New Pres.

SIGNATURE Eli Nadrich New treas.

ADDRESS 1809 Wilson Ave.

BUSINESS 2 sig required

REMARKS Both must sign

PHONE 61697 DATE JAN 28 1948 FIRST DEP.

(61697) UNITED CULTURAL ASSOCIATION

Mr. ARENS. Who is Eli Nadrich?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer.

Mr. ARENS. These signature cards indicate that you are president and Eli Nadrich is treasurer of the United Cultural Association here in Youngstown. Please confirm that for us.

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer on the first and fifth amendments.

Mr. ARENS. Now I want to lay before you a photograph of the clubhouse of the United Cultural Association at 1440 Thorn Hill Road. It is a photograph. Have you ever been in that establishment before?

(The witness conferred with his counsel.)

(Document marked "Comanita Exhibit No. 5," and filed for information of committee.)

Mr. COMANITA. I invoke the first and fifth and decline to answer.

Mr. ARENS. Mr. Comanita, we have here the ledger sheets which we have subpenaed from the Mahoning National Bank, of the United Cultural Association, indicating that there is on account $37,000 of funds of the United Cultural Association, of which you are president, concerning which you have invoked the fifth amendment. Now please tell this committee what is the source of the income of this $37,000 on account of the United Cultural Association?

(The witness conferred with his counsel.)

(Document marked "Comanita Exhibit No. 6" and filed for information of committee.)

Mr. COMANITA. I decline to—first and fifth amendments—and I decline to answer that.

Mr. ARENS. $37,000 has been deposited, I should say, to the account of the United Cultural Association. Are you a member of the United Cultural Association?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer.

Mr. ARENS. What income do you have, other than the income from your tailor shop?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer.

Mr. ARENS. Have you ever been there, at 1440 Thorn Hill Road?

Mr. COMANITA. I decline to answer for the same reason.

Mr. ARENS. Do you know George Prislipsky?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments, and I decline to answer.

Mr. ARENS. Does the Communist Party operate this United Cultural Association as a snare and as a place for assemblages to be sponsored by the Communist Party, do you know?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments, and I decline to answer.

Mr. ARENS. The fact is that the United Cultural Association is controlled lock, stock, and barrel by the Communist conspiracy in this town; isn't that true?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer for the same reason.

Mr. ARENS. I would like to display to you an article from the Communist Daily Worker (Feb. 15, 1949, p. 6), which carries an article entitled "Youngstown Protests Mount Against Trial of '12'," in which your name appears as one of those protesting the trial of the 12 Communist traitors. Kindly tell us whether or not you are one of the protestors of the trial of these 12 Communist traitors.

(The witness conferred with his counsel.)

(Document marked "Comanita Exhibit No. 7" and filed for information of committee.)

Mr. COMANITA. I decline to answer for the same reason.

Mr. ARENS. What organizations do you belong to?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer that.

Mr. ARENS. Well, do you belong to any little nonsensitive patriotic groups, we will say? Do you belong to the American Legion?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments and decline to answer.

Mr. ARENS. Do you belong to any churches?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer, Mr. Chairman.

Mr. ARENS. Do you belong to any card clubs?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer.

Mr. ARENS. You said you were born in Hungary?

(The witness conferred with his counsel.)

Mr. ARENS. You do not have to ask your lawyer whether or not you said that.

Mr. COMANITA. Yes, I was born in Hungary.

Mr. ARENS. Have you been reading the papers about what has been going on in Hungary in the course of the last several weeks?

Mr. COMANITA. I decline to answer because the Hungarian business is not my business over there. I am an American citizen.

Mr. ARENS. Were you a member of the Communist Party when you took an oath as an American citizen and were naturalized?

Mr. COMANITA. I decline to answer, Mr. Chairman.

Mr. ARENS. Mr. Garfield, would you kindly stand in the first part of the spectators' section of the courtroom?

Mr. Comanita, look over your left shoulder and get a good look at that man. Do you see him?

Mr. COMANITA. Yes.

Mr. ARENS. Did you ever see him before?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer on that.

Mr. ARENS. That man took an oath, Mr. Comanita, this morning, and testified before this committee. He said among other things that while he was a member of the Communist conspiracy, he knew you as a Communist. Was he lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer.

Mr. ARENS. Mr. Comanita, I direct to your attention now a photostatic copy of the Communist Daily Worker of Tuesday, September 21, 1948 (p. 8), in which a letter appears, signed by S. Comanita. It is addressed to the editor of the Communist Daily Worker, protesting the activities of the Government in trying to round up Communists and other subversives who would subvert this great Nation. Please look at that article and tell us whether or not you are the author of that article.

(The witness conferred with his counsel.)

(Document marked "Comanita Exhibit No. 8" and filed for informtion of committee.)

Mr. COMANITA. I invoke the first and fifth amendments and decline to answer.

Mr. ARENS. Mr. Comanita, you are entitled to a witness fee, you understand, for testifying. That is provided by the law. But you have to sign a pay voucher for that. Please sign one in the presence of this committee now.

(The witness conferred with his counsel.)

Mr. COMANITA. I don't want to sign it.

(The witness conferred with his counsel.)

Mr. WILLIAMS. Mr. Arens, the witness says he does not want to sign the paper for the witness fee.

Mr. ARENS. Do you understand that you are for all times now waiving your witness fee, Mr. Comanita?

Mr. COMANITA. I don't understand that.

(The witness conferred with his counsel.)

Mr. COMANITA. I don't ask for nothing.

Mr. ARENS. You are not going to ask for it at all?

Mr. COMANITA. No.

Mr. ARENS. Did you ever live at 1809 Wilson Avenue?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments and I decline to answer.

Mr. ARENS. Is your declination to sign the pay voucher there inspired by a fear that it might reveal an identity of the signature

which appears, Spiridon Comanita, as one of the incorporators and now president of the United Cultural Association?

(The witness conferred with his counsel.)

Mr. COMANITA. I decline to answer that.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that that will conclude the staff interrogation of this witness. I respectfully suggest that the exhibits be appropriately marked and reproduced or incorporated by reference in this record.

Mr. VELDE. As I recall it, Mr. Witness, you said that you did not want anything to do with the Hungarian revolution that is taking place at the present time, and that you are a United States citizen; is that right?

(The witness conferred with his counsel.)

Mr. COMANITA. I just come from Hungary. I was under the Hungarian Government when I came. If they change, it is up to them. I have been here since I come, and I don't have business with the Hungarian Government or anything.

Mr. VELDE. As an American citizen, I think we all have business against the Soviet powers. As you know, we are contributing money, food, and care to the refugees who are fleeing the Communist conspiracy over there. I just wanted to put you a little bit straight on that. How would you like to be over there at the present time?

(The witness conferred with his counsel.)

Mr. COMANITA. Well, I don't like to be any place where there is war and trouble. We are here. We don't have no trouble. That is all.

Mr. VELDE. I am sorry, I didn't understand the answer. Would you repeat your answer, please?

(The witness conferred with his counsel.)

Mr. COMANITA. I don't like to be no place where is war. I like to be in a place where it is peace.

Mr. VELDE. You have no relatives that you know of involved in this revolution?

(The witness conferred with his counsel.)

Mr. COMANITA. I do have; yes. I do have. But they are under the Rumanian Government, not under the Hungarian Government, or the changed.

Mr. VELDE. When asked by counsel, you refused to answer, and based your refusal on the fifth amendment, to the question of were you a Communist Party member at the time you were naturalized, when you became a naturalized United States citizen?

(The witness conferred with his counsel.)

Mr. COMANITA. I repeat my answer. I refuse to answer.

Mr. VELDE. That is, you refuse to answer on the basis of the fifth amendment?

Mr. COMANITA. Yes.

Mr. VELDE. Mr. Chairman, I do feel that the record of this testimony should be referred to the proper Department of Justice for possible denaturalization and deportation proceedings, in view of his refusal to be of any help whatsoever to this committee.

Mr. WILLIS. I take it from your testimony that what is going on in Hungary is none of your business, that you are indifferent to it; you do not care what is happening?

(The witness conferred with his counsel.)

Miss FURRY. He is a little hard of hearing, Mr. Chairman.

Mr. WILLIS. You said that what is going on in Hungary is none of your business as an American citizen, to complete your sentence and be fair; is that correct?

(The witness conferred with his counsel.)

Mr. COMANITA. Yes; it is not my business. It is the Hungarian people's business, not my business. Why should I worry about them?

Mr. WILLIS. Why did you make it your business to protest the trial of Communist traitors in the United States, send a protest against them? Why did you bother to make that your business?

(The witness conferred with his counsel.)

Mr. COMANITA. I invoke the first and fifth amendments. I decline to answer.

Mr. WILLIS. That is all.

Mr. ARENS. Mr. Eli Nadrich, please come forward.

Miss FURRY. Is this witness excused?

Mr. WILLIS. Yes.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NADICH. I do.

TESTIMONY OF ELI NADRICH, ACCOMPANIED BY COUNSEL, FRED C. LANZ, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. NADRICH. My name is Eli Nadrich. I live on Fulton Street, Youngstown, Ohio. I am by trade a steelworker.

Mr. ARENS. A steelworker?

Mr. NADRICH. Yes, a steelworker.

Mr. ARENS. Where?

Mr. NADRICH. In the steelworks.

Mr. ARENS. What is the name of the plant?

(The witness conferred with his counsel.)

Mr. NADRICH. I think that wouldn't be right to answer, for the reason in the mill where we work there is a sign that we shouldn't answer what type of work we do or anything; any information from the plant.

Mr. ARENS. Are you engaged in any security work, any secret work?

Mr. NADRICH. I don't know if there is secret work, or whatever it is. But information of the work where we work we shouldn't say.

Mr. ARENS. You just answer the question. What is the name of the company that you work for?

(The witness conferred with his counsel.)

Mr. NADRICH. I work for Sharon Steel.

Mr. ARENS. What?

Mr. NADRICH. Sharon Steel Co.

Mr. ARENS. And how long have you worked there?

Mr. NADRICH. I believe a little over 15 years.

Mr. ARENS. And where did you work prior to that time?

Mr. NADRICH. Do you mean before that?

Mr. ARENS. Yes.

Mr. NADRICH. I wasn't working for a while, because it was kind of bad time. But before that I worked in Otis Steel, in Cleveland.

Mr. ARENS. Where were you born?

Mr. NADRICH. Austria-Hungary, I believe they called it at that time. Now they call it Yugoslavia.

Mr. ARENS. You were born in Yugoslavia?

Mr. NADRICH. Austria-Hungary, they called it at that time.

Mr. ARENS. When did you come to the United States?

Mr. NADRICH. 1913.

Mr. ARENS. Are you a naturalized citizen?

Mr. NADRICH. Yes, sir.

Mr. ARENS. When were you naturalized?

Mr. NADRICH. I believe in 1941.

Mr. ARENS. Where?

Mr. NADRICH. Youngstown.

Mr. ARENS. Did you take an oath of allegiance when you were naturalized?

Mr. NADRICH. Yes; I did.

Mr. ARENS. And did you take an oath to support and defend the Constitution of the United States when you were naturalized?

Mr. NADRICH. Yes.

Mr. ARENS. Were you a member of the Communist Party when you took that oath?

(The witness conferred with his counsel.)

Mr. NADRICH. I invoke the first and fifth amendment. I refuse to answer that question.

Mr. ARENS. Did you ever live in Portland, Maine?

Mr. NADRICH. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. Yes; you are ordered to answer the question.

(The witness conferred with his counsel.)

Mr. NADRICH. I refuse to answer.

Mr. ARENS. Have you ever been to jail?

Mr. NADRICH. I refuse to answer that.

Mr. ARENS. You have been convicted and served time, have you not, in jail, in Maine? Isn't that correct?

Mr. NADRICH. I refuse to answer that.

Mr. ARENS. Are you connected with the United Cultural Association?

Mr. NADRICH. I refuse to answer on the first and fifth amendment.

Mr. ARENS. Just sign your pay voucher, please, so you will be given your witness fee. You are entitled, I believe, to $7 or $9 a day, something like that, for testifying here. Would you please just sign the pay voucher?

Mr. NADRICH. I won't sign it.

Mr. ARENS. Are you waiving your witness fee? You are not going to claim your witness fee?

Mr. NADRICH. No; I didn't.

Mr. ARENS. You are not going to claim your witness fee. Mr. Williams is going to lay before you the articles of incorporation of the United Cultural Association here, in which your signature ap-

pears, Eli Nadrich, as one of the incorporators of the United Cultural Association here in Youngstown. Please look at that document and see if you can verify your signature for the committee. Could you help the committee, please?

(See Comanita exhibit No. 1, pp. 5939–5940.)

Mr. NADRICH. I refuse to answer that question.

Mr. ARENS. What did you say your address is now, your home address? I don't believe I recall.

Mr. NADRICH. I refuse to answer that question.

Mr. ARENS. You told us already. Just consult with your counsel.

(The witness conferred with his counsel.)

Mr. NADRICH. I thought I give you what it is before.

Mr. ARENS. Give it to me again, please.

Mr. NADRICH. Fulton Street.

Mr. ARENS. Have you ever lived on Wilson Avenue?

Mr. NADRICH. No.

Mr. ARENS. Have you ever lived on Fulton Street?

Mr. NADRICH. Yes.

Mr. ARENS. What is the address on Fulton Street?

Mr. NADRICH. I refuse to answer that.

(The witness conferred with his counsel.)

Mr. NADRICH. 240½ Fulton Street.

Mr. ARENS. Have you seen this document here, the articles of incorporation of the United Cultural Association, that has 240½ Fulton Avenue, Youngstown, Ohio, Eli Nadrich? Is that you?

(The witness conferred with his counsel.)

Mr. NADRICH. I refuse to answer that on the fifth amendment.

Mr. ARENS. Mr. Williams is going to show you here a document which we have marked for incorporation in the record. It is a signature card at the bank of the United Cultural Association. The new treasurer of the organization, under date of January 28, 1948, was listed as yourself, Eli Nadrich. Look at that signature and tell us if you can't verify its authenticity for us.

(The witness conferred with his counsel.)

(See Comanita exhibit No. 4, p. 5942.)

Mr. NADRICH. I refuse to answer this question.

Mr. ARENS. Mr. Williams is going to display for you in a minute, Mr. Nadrich, a picture of 1440 Thorn Hill Road, United Cultural Association headquarters, a beautiful building there. Please look at that and tell us if you can verify that as the photograph of the United Cultural Association, of which you are treasurer.

(The witness conferred with his counsel.)

(Document referred to was previously incorporated into record by reference and is designated "Comanita Exhibit No. 5.")

Mr. NADRICH. I refuse to answer this question.

Mr. ARENS. How many members are there of the United Cultural Association?

Mr. NADRICH. I refuse to answer that question.

Mr. ARENS. We have subpenaed the bank records of the United Cultural Association and noticed deposits aggregating some $30,000 for that association. Tell us, where did that money come from?

(The witness conferred with his counsel.)

(Document referred to was previously incorporated in the record by reference and is designated "Comanita Exhibit No. 6.")

Mr. ARENS. It is $37,000.

Mr. NADRICH. I decline to answer that question.

Mr. ARENS. Mr. Garfield, would you stand, please? Mr. Nadrich, look over your left shoulder. Do you see that gentleman there?

Mr. NADRICH. Yes.

Mr. ARENS. Did you ever see him before?

Mr. NADRICH. I don't remember.

Mr. ARENS. You don't remember him?

Mr. Garfield, would you come a little closer, please? Mr. Nadrich says he doesn't remember you.

Mr. NADRICH. I don't remember him.

Mr. ARENS. Did you ever see him before?

Mr. NADRICH. I don't remember him.

Mr. ARENS. You don't remember him, is that correct?

Mr. Garfield swore this morning that while he was a member of the Communist Party he knew you as a Communist. Was he lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. NADRICH. I decline to answer that.

Mr. ARENS. If you have never seen him before, how could you fear anything in denying testimony of this man?

(The witness conferred with his counsel.)

Mr. NADRICH. I decline to answer on the ground of the fifth amendment.

Mr. ARENS. Did you ever serve in the Communist Party with Mr. Garfield?

Mr. NADRICH. I decline to answer that question.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. NADRICH. I decline to answer that question, on the grounds of the fifth amendment.

Mr. ARENS. What income do you have other than the income from your job at the steel company?

(The witness conferred with his counsel.)

Mr. NADRICH. I decline to answer on the fifth amendment.

Mr. ARENS. The fact is that you are one of the infiltrators of basic industry in this area, is that not a fact, for the Communist Party?

Mr. NADRICH. I decline to answer that.

Mr. ARENS. Where did you work prior to the time that you became engaged here in the steel company?

(The witness conferred with his counsel.)

Mr. NADRICH. I worked most of my life in the steel work.

Mr. ARENS. And where else did you work besides the place where you are presently employed?

Mr. NADRICH. I was working at the Lackawanna Steel, and in Gary, Ind., U. S. Steel, and Seneca Steel, in Buffalo.

Mr. ARENS. Have you ever been trained in the techniques of sabotage?

(The witness conferred with his counsel.)

Mr. NADRICH. I decline to answer that question.

Mr. ARENS. Have you ever recruited anybody into the Communist Party?

Mr. NADRICH. I decline to answer that question on the ground of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. No question.

Mr. WILLIS. No questions.

That is all.

Mr. ARENS. Mr. George Prislipsky, please.

Mr. WILLIS. Please remain standing and raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PRISLIPSKY. I do.

Mr. ARENS. Mr. Chairman, I omitted, inadvertently, to request counsel for the last witness to identify himself.

Will counsel kindly do so at this time and accept my apology for overlooking his presence?

Mr. LANZ. My name is Fred Lanz, Youngstown, Ohio.

Mr. ARENS. And you are counsel for Eli Nadrich and sat with him in his interrogation?

Mr. LANZ. That is correct.

TESTIMONY OF GEORGE PRISLIPSKY, ACCOMPANIED BY COUNSEL, THELMA C. FURRY

Mr. ARENS. What is your name and occupation?

Mr. PRISLIPSKY. George Prislipsky. I live at 241 Wayne, Youngstown, Ohio.

Mr. ARENS. And your occupation?

Mr. PRISLIPSKY. Steel worker.

Mr. ARENS. Where?

Mr. PRISLIPSKY. Republic Steel.

Mr. ARENS. You are appearing today, Mr. Prislipsky, in response to a subpena that was served upon you by the House Committee on Un-American Activities?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. PRISLIPSKY. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Miss. FURRY. Thelma C. Furry, Second National Building, Akron, Ohio.

Mr. ARENS. Where were you born?

Mr. PRISLIPSKY. In Austria-Hungary.

Mr. ARENS. When?

Mr. PRISLIPSKY. 1893.

Mr. ARENS. When did you come to the United States?

Mr. PRISLIPSKY. 1913.

Mr. ARENS. And you were naturalized?

Mr. PRISLIPSKY. 1945.

Mr. ARENS. Where?

Mr. PRISLIPSKY. Here in Youngstown.

Mr. ARENS. Do you own your own home?

Mr. PRISLIPSKY. Yes, sir.

Mr. ARENS. Have you, in the course of the last few years, purchased any other property here in Youngstown?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Back in 1947 you were listed as the record owner of the establishment United Cultural Association at 1440 Thorn Hill Road, isn't that correct?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. Mr. Williams, my associate here, is going to lay before you the deed to that property, on which your name appears as the owner acquiring that property back in 1947. Please look at that deed and see if you can verify that information which the deed reflects.

(The witness confers with his counsel.)

(Document marked "Prislipsky Exhibit No. 1" and filed for information of committee.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. The fact is that back in 1947, about $22,000 slipped through to your hands to buy that property at 1440 Thorn Hill Road, isn't that true?

(The witness confers with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. I want you to look at another deed. This is the deed of July 19, 1947, just a few months after the acquisition of this property, a deed from yourself to the United Cultural Association. Look at that deed. That is an official photostatic copy of an official record of this county. See if you can't verify that for us.

(Document marked "Prislipsky Exhibit No. 2" and filed for information of committee.)

(The witness confers with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Now, Mr. Williams is going to show you a picture of this property at 1440 Thorn Hill Road, the headquarters of the United Cultural Association. See if you can't help this committee of the Congress. Tell us if you can verify that photograph for us, please.

(The witness confers with his counsel.)

(Document referred to was previously incorporated into record by reference and designated "Comanita Exhibit No. 5".)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. The fact is the Communist Party gave you $21,900 with which to buy that property for the United Cultural Association, isn't that true?

(The witness confers with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Do you know Mr. Comanita, who preceded you by a couple of places on the witness stand, the president of the United Cultural Association?

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. Do you know Eli Nadrich, the treasurer of the United Cultural Association?

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. You were a trustee, one of the trustees, of this new organization which was formed back there in July of 1947, the United Cultural Association, were you not?

(The witness confers with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. That United Cultural Association is operating right now, this minute, in Youngstown, Ohio, as an entity of the Communist conspiracy, isn't that true?

(The witness confers with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Look at these articles of incorporation that Mr. Williams is going to display to you now, and you will see your name as one of the founders, the incorporators, of the United Cultural Association. See if you can't verify that for this committee.

Well, were you one of the incorporators, one of the charter members of the United Cultural Association?

(The witness confers with his counsel.)

(See Comanita exhibit No. 1, pp. 5939–5940.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. According to the articles of incorporation of the United Cultural Association, it was formed for cultural purposes, uplift, do-good in the country, better understanding between minority groups, promote social activities and educational facilities, to encourage cultural interest. Were you one of the promoters here in 1947 of all of these laudable objectives of promoting cultural interest?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. Did you and your associates perpetuate a fraud on the court here, by masquerading as promoters of a cultural establishment, when in truth and in fact you were establishing a nest of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Now can you tell us something about the income of the United Cultural Association?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. Are you a Communist?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. Did you and operators meet with the leadership of the Communist Party prior to the establishment of the United Cultural Association?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I refuse to answer.

Mr. ARENS. What was your net worth back in 1947, just approximately?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I refuse to answer.

Mr. ARENS. Did you have $21,900 of your own back in 1947?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I refuse to answer.

Mr. ARENS. Did you take an oath to support and defend the Constitution of the United States back in 1945 when you were naturalized as a citizen of this great Republic?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Under the fifth amendment, I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question, as to whether or not he took an oath to support and defend this great Republic when he became a citizen.

Mr. WILLIS. I direct you to answer that question.

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I am not remember.

Mr. WILLIS. You do not remember. All right.

Mr. ARENS. Who got you your job at Republic Steel?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. Repeat that.

Mr. ARENS. Who got you your job at Republic Steel?

Mr. PRISLIPSKY. I got it myself. I go ask.

Mr. ARENS. Keep your voice up.

Mr. PRISLIPSKY. I got the job myself. I go ask for a job and they give me one.

Mr. ARENS. What do you do at Republic Steel besides the work that you are paid to do? Anything?

Mr. PRISLIPSKY. I don't do anything.

Mr. ARENS. While you have been on the premises there at Republic Steel, have you engaged in any Communist Party activities?

(The witness conferred with his counsel.)

Miss FURRY. He doesn't understand the question.

Mr. ARENS. Have you engaged in any Communist Party activities? You know what I mean by Communist Party activities, don't you? Yes, you do.

Have you engaged in any Communist Party activities while you have been at Republic Steel? If you haven't just deny it, while you are under oath.

Mr. PRISLIPSKY. I deny the answer.

Mr. ARENS. I beg your pardon?

Mr. PRISLIPSKY. I deny the answer.

Mr. ARENS. I couldn't hear him, counsel. What is he saying?

Miss FURRY. He says he denies the answer.

Mr. WILLIS. He means he declines.

Mr. ARENS. You decline to answer.

Are you now at this moment Communist? Are you a Communist?

(The witness conferred with his counsel.)

Mr. PRISLIPSKY. I decline to answer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. VELDE. I have no questions, but it appears to me that with the the last three witnesses there is a definite possibility that one or all of them might have committed a fraud upon the United States in gaining admission and citizenship. I, therefore, respectfully suggest that our very able and efficient counsel confer with the Department of Justice and determine whether there is a possibility of denaturalization proceedings and deportation proceedings in any of these three cases.

Mr. ARENS. Mr. Chairman, I overlooked to request that the exhibits be marked and incorporated by reference in the record, sir.

Mr. WILLIS. They may be marked and incorporated for the record.

Miss FURRY. Is this witness excused?

Mr. WILLIS. Yes.

This will conclude the day's hearings. The subcommittee will stand in recess until 10 o'clock tomorrow morning.

(Whereupon, at 4:50 p. m., Monday, November 26, the committee was recessed, to reconvene at 10 a. m., Tuesday, November 27, 1956.)

(The following members were present at the taking of the recess: Representatives Willis and Velde.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE YOUNGSTOWN AND NORTHERN OHIO AREAS

TUESDAY, NOVEMBER 27, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Youngstown, Ohio.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess, in the United States District Court, Federal Building, Youngstown, Ohio, Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Harold H. Velde, of Illinois.

Staff members present: Richard Arens, director; George C. Williams and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. WILLIS. The subcommittee will be in order.

Counsel will please call his first witness.

Mr. ARENS. Mr. Hyman Lumer, please come forward.

Mr. WILLIS. Will you kindly raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUMER. I do.

TESTIMONY OF HYMAN LUMER, ACCOMPANIED BY COUNSEL, STEPHEN M. YOUNG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LUMER. My name is Hyman Lumer. My residence is 903 East 123d Street, Cleveland, Ohio.

With regard to my occupation, I shall decline to answer, invoking my privileges under the first and fifth amendments.

Mr. ARENS. You are appearing here today, Mr. Lumer, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. LUMER. I am.

Mr. ARENS. And you are represented by counsel?

Mr. LUMER. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. YOUNG. Stephen M. Young, 838 National Bank Building, Cleveland, Ohio.

Mr. ARENS. Mr. Lumer, where and when were you born?

Mr. LUMER. Brooklyn, June 29, 1909.

Mr. ARENS. And give us, if you would, please, sir, a word about your education.

Mr. LUMER. I am a graduate of Central High School in Cleveland, and I have a bachelor of arts, masters of arts, a Ph.D. degree, from Western Reserve University, in biology.

Mr. ARENS. When did you receive your Ph. D. degree?

Mr. LUMER. 1935.

Mr. WILLIS. What university was that?

Mr. LUMER. 1935.

Mr. WILLIS. What university was it?

Mr. LUMER. Western Reserve University.

Mr. ARENS. Now, kindly tell us, if you please, sir, the employments which you have had since you gained adulthood. I take it that you had certain employments, as most people do, pursuing a Ph. D. degree. They teach awhile, or work at something awhile, and then resume their studies. If that is the case in your instance, would you kindly tell us the principal employments you have had since you reached adulthood?

Mr. LUMER. I shall decline to answer that on the basis of the first and fifth amendments.

Mr. ARENS. Prior to the time that you received your Ph. D. degree at Western Reserve University in 1935, I believe it was, did you have a full-time employment?

Mr. LUMER. I shall decline to answer that for the same reason.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. What was the question?

Mr. ARENS. The question, in essence, was this: Prior to the time that you received your Ph. D. degree in 1935, did you have a full-time employment?

The witness invoked the fifth amendment. I requested that he be ordered and directed to answer that question.

Mr. WILLIS. Yes. You are ordered and directed to answer the question.

(The witness conferred with his counsel.)

Mr. LUMER. I shall decline on the same grounds.

Mr. ARENS. Have you used any name other than the name by which you are subpenaed to appear before this committee?

Mr. LUMER. I decline to answer that on the same grounds, the first and fifth amendments.

Mr. ARENS. Have you ever used the name Robert Harold Meyers?

Mr. LUMER. I decline to answer that on the same grounds.

Mr. ARENS. How long have you served in your present occupation?

Mr. LUMER. I shall decline to answer that on the same grounds.

Mr. ARENS. In what State are you currently employed?

Mr. LUMER. I shall decline to answer that on the same grounds, the first and fifth amendments.

Mr. ARENS. How long have you lived at your present address?

(The witness conferred with his counsel.)

Mr. LUMER. Since February 1956.

Mr. ARENS. And where did you live immediately prior to February 1956?

(The witness conferred with his counsel.)

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Tell us, if you please, sir, whether or not, prior to February 1956, you lived in the State of Ohio.

Mr. LUMER. I decline to answer that on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Did you live in the western part of the United States prior to February 1956, and by western part I mean the tier of States of Ohio, Indiana, Missouri, Michigan, Minnesota—the Midwest, we will say?

Mr. LUMER. I decline to answer that on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mr. LUMER. I decline on the same grounds.

Mr. ARENS. Mr. Lumer, as you know, a witness before a congressional committee who is subpenaed is entitled to certain witness fees. As a prerequisite to obtaining those fees, he must sign a voucher. I shall request Mr. Williams, my associate here, to lay before you a voucher form for your signature. I say now, so there will be no misunderstanding, we want it to be signed by you while you are under oath, so that there may be a comparison of signatures. I don't want to in any sense be surreptitious or misleading in the objective that I have in requesting you to sign this now.

(The witness conferred with his counsel.)

Mr. YOUNG. Just a moment, Mr. Chairman, and we will be finished.

(The witness conferred with his counsel.)

Mr. LUMER. May I ask a question of the committee?

Mr. ARENS. Surely.

Mr. LUMER. I was subpenaed to come here and did not come here in order to obtain a witness fee. I should like to know what would happen if I were to decline to sign this while I am under oath.

Mr. WILLIS. Not a thing. You are not compelled to sign or accept a witness fee.

Mr. LUMER. If I were to refuse to sign this while I am under oath, does that mean that I would not receive the witness fee?

Mr. ARENS. If you refuse to sign this document while you are under oath, I propose to request the chairman that he order that when you do sign it, if you sign it, your signature become a part of this record, for the purposes of comparison. I say that so that there will be no misunderstanding as to why we want your signature.

(The witness conferred with his counsel.)

Mr. LUMER. In that case, I will decline to sign while I am under oath.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when Mr. Lumer signs the document, which we will now mark "Lumer Exhibit No. 1," that that part of the document which bears his signature be incorporated in this record by reference.

Mr. WILLIS. It will be so ordered.

(Document marked "Lumer Exhibit No. 1" and filed for information of committee.)

Mr. ARENS. Now, Mr. Lumer, my associate here, Mr. Williams, is going to lay before you an employment application of Fenn College, for one Hyman Lumer, in which the applicant applies for a job as instructor at Fenn College. This is accompanied by a letter from the official of the institution verifying that document.

Would you kindly look at that document, which we have now marked "Lumer Exhibit No. 2," and tell this committee if you can verify its authenticity?

(The witness conferred with his counsel.)

Mr. LUMER. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this and a series of succeeding exhibits, as they are presented, be appropriately marked and reproduced or incorporated by reference in the record.

Mr. WILLIS. Let the documents be so received and marked.

(Lumer exhibit No. 2 filed for information of committee.)

Mr. ARENS. Now my associate, Mr. Williams, is laying before you, Mr. Lumer, a photostatic copy of a program of the National Labor Conference for Peace, held October 1 and 2, 1949. You will observe that this program lists Hy Lumer, UE-CIO, of Cleveland, as one of its participants. Kindly look at that document and, if you will, please, sir, verify the facts appearing in that document for the committee.

(The witness conferred with his counsel.)

(Document marked "Lumer Exhibit No. 3" and filed for information of committee.)

Mr. LUMER. I will again decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Have you, during the course of your lifetime, Mr. Lumer, been somewhat of an author, a writer of articles?

(The witness conferred with his counsel.)

Mr. LUMER. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I have in my hands here, and Mr. Williams will lay before you in just a moment, a document which we have marked "Lumer Exhibit No. 4," which is a reproduction of an article in Political Affairs, the official publication of the Communist Party. In this document, we have an article entitled "The Achievements of Marxism-Leninism in the Field of Genetics, by Hyman Lumer." The footnote says:

> Comrade Lumer, who is a Ph. D. in biology, was formerly professor of biology at Fenn College, Cleveland, Ohio.

This article is written in the July 1950 issue. Please look at that article as Mr. Williams lays it before you, Mr. Lumer, and tell this committee whether or not you can verify the authenticity, the identity as the individual alluded to in the article as its author.

(The witness conferred with his counsel.)

(Lumer exhibit No. 4 filed for information of committee.)

Mr. LUMER. I decline to answer on the same grounds of the first and fifth amendments.

Mr. ARENS. Now I have a document which is a reproduction of the Communist Daily Worker of November 20, 1955 (p. 13). The article is entitled "How Big Business Defeated Ohio Jobless Compensation Increase, by Hyman Lumer." Kindly look at this reproduction of the article from the Daily Worker, which we have marked "Lumer Exhibit No. 5," and see if you can verify its authenticity for the committee.

(The witness conferred with his counsel.)

(Lumer exhibit No. 5 filed for information of committee.)

Mr. LUMER. I will again decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Lumer, have you been in a little difficulty with the police department with reference to your driver's license?

Mr. LUMER. I shall again decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. You were fined back here some short time ago, in 1955, for using a fictitious driver's license; isn't that true?

Mr. LUMER. I decline to answer on the same grounds.

Mr. ARENS. Mr. Chairman, that is a matter of court record and, therefore, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he was fined on the basis of a charge that he was in possession of and using a fictitious driver's license.

Mr. WILLIS. I suppose that this will be connected and that reasons will be assigned as to his motives for the fictitiousness of the license, and, therefore, it is very material. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. LUMER. I will still decline on the same grounds.

Mr. ARENS. I lay before you now a photostatic copy of the Communist Daily Worker of Friday, September 9, 1955 (p. 8). The article says "Hyman Lumer fined $100," and the lead of the article is as follows:

> A fine of $100 and costs was imposed in municipal court today in the case of Hyman Lumer, charged with possession of a fictitious driver's license.

Please look at that article in its entirety, Mr. Lumer, and tell this committee whether or not the facts recited in this article are true.

(The witness conferred with his counsel.)

(Lumer exhibit No. 6 filed for information of the committee.)

Mr. LUMER. I will decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now, Mr. Lumer, I wonder if you would help us here a little bit on the matter of your driver's license. Do you drive a car?

(The witness conferred with his counsel.)

Mr. LUMER. Yes, I am able to drive a car. I know how to drive a car.

Mr. ARENS. Are you licensed to drive a car; do you have an operator's license?

(The witness conferred with his counsel.)

Mr. LUMER. I believe I will decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Lumer, I am laying before you now, via my associate, Mr. Williams, photostatic copies of some operators' licenses. One of them here is signed Robert Harold Meyers, issued February 18, 1952. Another is signed Robert Harold Meyers, issued June 23, 1954. Still another is in the name of Hyman Lumer, issued July 7, 1951. Please look at these operators' licenses and tell us whether or not they are licenses which were procured by you and used by you to operate a vehicle.

(The witness conferred with his counsel.)

(Documents marked "Lumer Exhibit No. 7" follow:)

LUMER EXHIBIT 7

STATE OF OHIO—BUREAU OF MOTOR VEHICLES
OPERATOR'S LICENSE NO. K 400918
MUST BE CARRIED WHILE DRIVING
EXPIRES ON LICENSEE'S BIRTHDAY IN 1957
NAME ROBERT HAROLD MEYERS
ADDRESS 4632 Roadoan Rd.
P.O. Cleveland 9 OHIO

DATE OF BIRTH	MO.	DA.	YR.	SEX	WGT.	HGT.	COLOR HAIR	COLOR EYES
	7	1	11	M	165	5-10½	Blck	Haz

BUS. ADD. Same
OCCUPATION Sales
DATE 6-23-54
DEP. REG. N. W. JAWORSKE
REG. BEREA, O.
SIGNATURE OF LICENSEE
FRANK J. LAUSCHE, GOVERNOR
REGISTRAR

STATE OF OHIO—BUREAU OF MOTOR VEHICLES
OPERATOR'S LICENSE NO. A 201221
MUST BE CARRIED WHILE DRIVING
EXPIRES ON LICENSEE'S 1ST BIRTHDAY AFTER SEPT. 30, 1953
PREVIOUS LIC. NO. 2 1 7986 "H" SERIES FEE 75C
NAME HYMAN [illegible]
ADDRESS 3605 E. 14th St.
P.O. Cleveland OHIO

DATE OF BIRTH	MO.	DA.	YR.	SEX	WGT.	HGT.	COLOR HAIR	COLOR EYES
	6	29	0[illegible]	M	1[illegible]	5'[illegible]	Blk	Hazel

BUS. ADD. Employed
OCCUPATION
DATE 7-7-51
DEP. REG. 2066
REG. Cleveland
SIGNATURE OF LICENSEE Hyman [illegible]
FRANK J. LAUSCHE, GOVERNOR
REGISTRAR

STATE OF OHIO—BUREAU OF MOTOR VEHICLES
OPERATOR'S LICENSE NO. F 340548
MUST BE CARRIED WHILE DRIVING
"H" SERIES FEE 75C
EXPIRES ON LICENSEE'S BIRTHDAY IN 1954
NAME ROBERT HAROLD MEYERS
ADDRESS 4632 Roadoan Rd.
P.O. Cleveland 9 OHIO

DATE OF BIRTH	MO.	DA.	YR.	SEX	WGT.	HGT.	COLOR HAIR	COLOR EYES
	7	1	11	M	165	5-10½	Black	Hazel

BUS. ADD.
OCCUPATION Sales
DATE 2-18-53
ISSUED BY REGISTRAR OF MOTOR VEHICLES AT COLUMBUS, OHIO
SIGNATURE OF LICENSEE
FRANK J. LAUSCHE, GOVERNOR
REGISTRAR

Mr. LUMER. I decline to answer on the ground of the first and fifth amendments.

Mr. ARENS. Mr. Lumer, on this first driver's license, I see the color of the hair is black. Is the color of your hair black?

(The witness conferred with his counsel.)

Mr. VELDE. What is the date of that, Mr. Arens?

Mr. ARENS. This first one is dated in 1954, the one that I am now looking at is dated 1954. There is one in 1951, 1952, and 1954, and black hair is given in each one of them, notwithstanding the fact that the names are a little different.

Mr. LUMER. I don't know the point of my question. The color of my hair is obvious. It used to be black, but it is becoming gray.

Mr. ARENS. Was your hair black when you applied for your driver's license in 1951 under the name of Hyman Lumer?

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. What is the color of your eyes? In each one of these documents, the one issued to Hyman Lumer as well as the two issued to Robert Meyers, the color of eyes is hazel. Are your eyes hazel color?

Mr. LUMER. That is pretty much like the other one. I wouldn't say.

Mr. ARENS. Did you apply for a driver's license listing or designating the color of your eyes as hazel?

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendment.

Mr. ARENS. Let's be sure we have the date of your birth correct, Mr. Lumer. What is the date of your birth?

Mr. LUMER. Well, I have already answered that.

Mr. ARENS. Would you kindly answer it again, just so the record reflects it accurately at this point?

Mr. LUMER. June 29, 1909.

Mr. ARENS. And your weight, if you please, sir?

Mr. LUMER. I am afraid I can't tell you what that is right now.

Mr. ARENS. Have you ever used the weight of about 165 pounds in applying for a driver's license?

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendment.

Mr. ARENS. The fact is, Mr. Lumer, and I put it to you as a fact and ask you while you are under oath to affirm or deny the fact, that you have repeatedly used the name of Robert Harold Meyers as well as the name of Hyman Lumer in procuring and using driver's licenses?

(The witness conferred with his counsel.)

Mr. LUMER. I will decline to answer that on the grounds of the first and fifth amendment.

Mr. ARENS. Now, Mr. Lumer, have you ever procured a social security card?

(The witness conferred with his counsel.)

Mr. LUMER. I will decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Was your social-security card issued to you under the name of Hyman Lumer, account No. 293-26-5820, or do you have any recollection of what it might be?

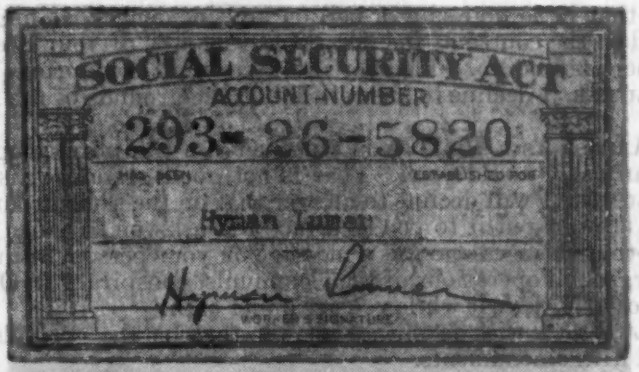
Mr. LUMER. I shall decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. I lay before you now two original documents, social security cards, with the numbers and signatures on them, one issued to Hyman Lumer, account number 293–26–5820 and the other issued to Robert Harold Meyers, account number 341–28–1860. Please look at those and tell this committee whether or not each of those cards was issued to you upon your application.

(The witness conferred with his counsel.)

(Documents marked "Lumer Exhibit No. 8" follow:)

LUMER EXHIBIT 8



Mr. LUMER. I decline to answer on the grounds of the first and fifth.

Mr. ARENS. Do you know a fellow that you rather warmly address as Steve?

(The witness conferred with his counsel.)

Mr. LUMER. I will decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Are you Steve? Have you ever used the name "Steve"?

Mr. LUMER. I will decline to answer that on the same grounds.

Mr. ARENS. By perfectly legitimate means, which I needn't discuss with you at the moment, this committee has come into possession of a letter which was in your possession at the time you were arrested.

This letter reads as follows:

HELLO, STEVE: Sorry I didn't make the last meeting with you. Will explain when I see you.

We are making arrangements for you and I and possibly a third person for an all day Saturday meeting.

A driver will pick you up (after you make sure you come clean), Friday, May 20, 6 p. m., (N-West Corner) W. 25th & Denison—Standard Drug at coffee counter.

You will be wearing a bandade on your right thumb. A man will come to you and say "Hello, Steve." You will answer "Hello, Joe."

Regards to Annie and Alice.

Mr. and Mrs. CHUCK and JEAN.

If for one reason or another this don't pan out, we will have the same arrangements for one week later, Friday, May 27th.

Does that little note ring a bell on any incidents that might have occurred in the course of the last several months of your life?

(Lumer exhibit No. 9 filed for information of committee.)

Mr. LUMER. I decline to answer that on the grounds of the first and fifth.

Mr. ARENS. As a Ph.D., you wouldn't use the phraseology, "this don't pan out," would you? That is not good grammar; is it?

Mr. LUMER. I will decline to answer that on the same grounds.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that this message was a message on your person, in the course of underground operations of the Communist conspiracy in Ohio. If that is not true, deny it while you are under oath.

Mr. LUMER. I will decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Now, Mr. Lumer, do you keep memo books, these little notations of dates, diary books?

(The witness conferred with his counsel.)

Mr. LUMER. I decline to answer that on the grounds of the first and fifth.

Mr. ARENS. I have here a little memo book that I say to you for this record was procured by this committee in the course of its legitimate operations, and this memo book was lifted from your person by the police when you were arrested in the course of this driver's license difficulty here a short time ago. It is a memo book of 1955, with dates and all kinds of hieroglyphics in here, which we just can't quite decipher. I would like to have you look at this little memo book now and tell this committee, if you will be good enough in the interest of serving the Government of the United States via this committee, the security of this Nation under whose flag you have protection, if you will be good enough, Mr. Lumer, to see if you can't verify the authenticity of this little memo book.

Mr. Williams, would you kindly let Mr. Lumer look at that memo book to help refresh his recollection?

Mr. Lumer, while you are looking at it, see if you can't help us in some way to decipher some of those hieroglyphics there which appear to be some kind of a little code.

(Lumer exhibit No. 10 filed for information of committee.)

(The witness conferred with his counsel.)

Mr. LUMER. I will decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Is that your little book?

Mr. LUMER. I decline to answer on the same grounds.

Mr. ARENS. Did you ever see that book before?

Mr. LUMER. I decline to answer on the same grounds.

Mr. ARENS. Did you ever live in Youngstown?

Mr. LUMER. I decline to answer that on the basis of the first and fifth amendments.

Mr. ARENS. Do you know Harold Mailman?

Mr. LUMER. I decline to answer that on the same grounds.

Mr. ARENS. You lived at Harold Mailman's home under an assumed name back in 1954 and 1955; isn't that true?

Mr. LUMER. I decline to answer that on the same grounds.

Mr. ARENS. Where is Robert Hamilton? Could you help us on that?

Mr. LUMER. I decline to answer that also on the grounds of the first and fifth amendments.

Mr. ARENS. You know Robert Hamilton has been identified here as part of the Communist underground, out to destroy this country. This committee has been looking for him, trying to issue a subpena, trying to serve him with a subpena that has been issued. You can help this committee, Mr. Lumer, if you will tell us where we might find Robert Hamilton.

Mr. LUMER. I will again decline to answer on the same grounds, the first and fifth amendments.

Mr. ARENS. Do you know where Ed Likover is?

Mr. LUMER. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. This committee understands Ed Likover might have a little information, if he were disposed to give it to us. We have had a subpena out for him for some time, but somehow or other we just can't seem to locate him. You can help us, Mr. Lumer, if you were disposed to do so. Will you tell this committee where we might find this man so we could invite him to come and give us information on security matters, to protect the Nation under whose flag you have protection?

Mr. LUMER. I must decline to answer that for the same reasons, the first and fifth amendments.

Mr. ARENS. What kind of a car do you drive?

(The witness conferred with his counsel.)

Mr. LUMER. I believe I will decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Lumer, in the course of the last few years, you have been a rather vociferous spokesman against faceless informers, against stool pigeons, against people who accuse others of being Communists, and the like; isn't that so?

Mr. LUMER. I will decline to answer that on the same grounds, the first and fifth amendments.

Mr. ARENS. I want to give you an opportunity to perhaps change your mind on that subject.

Mr. Garfield, would you kindly stand in the back of the room?

Mr. Lumer, I want you to look at that man. Look him in the face, so he won't be a faceless informer in your case.

Mr. LUMER. I am looking him in the face.

Mr. ARENS. Good. Have you ever seen that face before?

Mr. LUMER. I shall decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Lumer, yesterday Mr. Garfield took an oath before this committee and testified that, while he was a member of the Communist Party, he knew you as a Communist, as part of this conspiratorial apparatus. Why don't you now, while you are under oath, Mr. Lumer, stand up and tell this committee whether or not Mr. Garfield was telling the truth?

Mr. LUMER. I decline——

(The witness conferred with his counsel.)

Mr. LUMER. I shall decline to answer that on the basis of the first and fifth amendments.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are presently the Cleveland district organizer for the Ohio Communist Party. If that is not true, stand up and deny it while you are under oath.

Mr. LUMER. I shall decline to answer that on the same grounds of the first and fifth amendments.

Mr. ARENS. I meant the district organizer for Ohio, headquartered in Cleveland, of the Communist Party.

Mr. LUMER. I still decline.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of Mr. Lumer.

Mr. WILLIS. Mr. Velde?

Mr. VELDE. I have no questions, but I want to point out that he has refused to answer all questions which bear on the security of this Nation. I personally feel that the witness is a very dangerous character. I want to say here publicly that he bears watching by the FBI, by anyone interested in protecting the internal security of this great Nation of ours. I am very sorry that the witness happened to be represented by a former colleague of ours, whom we respect.

Mr. YOUNG. May I say, Mr. Chairman, that the American Bar Association says that a lawyer does not represent his clients' views, and also that all persons accused have a right to be represented by counsel. It happens, as the chairman knows, I am immediate past president of the Cuyahoga County Bar Association. I have been decorated by our Government with a Bronze Star and battle stars for service in the Armed Forces. Of course I repudiate any assertion attacking my Americanism and my patriotism.

Mr. VELDE. There is no assertion of that at all. I agree with you entirely, that every man has a right to legal representation. I just say I am sorry that it had to be you.

Mr. YOUNG. Yes, sir.

Mr. WILLIS. The witness is excused.

Mr. ARENS. Mr. Sidney Rackoff, kindly come forward.

Mr. HOWARD. I am attorney W. M. Howard, of the Mahoning County bar, and I would like to request, sir——

Mr. WILLIS. Will the witness raise his right hand?

Mr. HOWARD. Before he is sworn, may I ask——

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOWARD. May I say this: I would like, if I may, sir, to ask that this witness not be photographed, or his testimony——

Mr. WILLIS. We have rules on that, and they will be enforced. Will the witness kindly raise his right hand and face me, please, the Chairman.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RACKOFF. I do.

TESTIMONY OF SIDNEY RACKOFF, ACCOMPANIED BY COUNSEL, W. M. HOWARD

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Please be seated, Mr. Counsel.

Mr. HOWARD. May I at this time ask the honorable chairman to permit me to request that no radio record of this man's testimony be made, and that the only record that be made what the stenographer makes?

Mr. ARENS. Now will you kindly identify yourself by name, residence, and occupation?

(The witness conferred with his counsel.)

Mr. RACKOFF. Sidney Rackoff.

(The witness conferred with his counsel.)

Mr. HOWARD. Will the question be repeated?

Mr. ARENS. Mr. Reporter, will you kindly read the question again?

(The reporter read from his notes as requested.)

Mr. RACKOFF. My name I have given. My residence is 2713 Glenwood Avenue, Youngstown, Ohio.

(The witness conferred with his counsel.)

Mr. RACKOFF. I am a steelworker.

Mr. ARENS. Where, please, sir?

Mr. RACKOFF. In a steel mill.

Mr. ARENS. What is the name of the mill, please?

Mr. RACKOFF. Youngstown Sheet & Tube, Struthers Branch. I have worked outside for the last 9 years. I am a hard-working man.

Mr. ARENS. Thank you very much.

Mr. RACKOFF. Yes, sir. You are quite welcome.

Mr. ARENS. You are appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. RACKOFF. Whom am I speaking with, please?

Mr. ARENS. I am Richard Arens, director of the Committee on Un-American Activities.

Mr. RACKOFF. Who are the other members of the committee?

Mr. ARENS. The gentleman over my right shoulder is Mr. Velde, from Illinois, and the gentleman who is presiding is Mr. Willis, from Louisiana.

Now, are you appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. RACKOFF. I have a subpena, the nature of which I do not understand.

Mr. ARENS. And are you represented——

Mr. RACKOFF. I am not through with my answer.

Mr. ARENS. Certainly. Go right ahead.

Mr. RACKOFF. A gentleman came to me, about a week and a half ago or so, I forget the exact date, and offered me a piece of paper. I asked him what was the nature of this matter and he said "I am just the United States marshal" and I says "What is this all about?" "Well," he says, "I don't know. I just work for a living."

I said, "If you will kindly wait a moment, I will call Congressman Walter, whose name appears on this matter."

I see the honorable Congressman is not here today.

I called his office immediately, long distance to Washington, to ask him——

Mr. ARENS. You were surprised that you were subpenaed; is that correct?

Mr. RACKOFF. I certainly was surprised.

Mr. ARENS. You knew what committee it was that was seeking your presence?

Mr. RACKOFF. I had no idea what it was all about. I still don't know.

Mr. ARENS. Well, you——

Mr. RACKOFF. Just a moment. Let me tell the story of what happened at that time. I spoke with the office there, and the secretary answered, saying that Congressman Walter—first she said he was in Senator Eastland's office and then she said he was away and couldn't be reached until a few days later, and there might be a hearing. I left the message that I wanted to find out what the subpena was all about, and there was no designation on this piece of paper.

Mr. WILLIS. You will find out about it as we go on.

Proceed to ask him the question.

Mr. RACKOFF. Do I understand, Mr. Chairman, that this is a public hearing?

Mr. WILLIS. It is a public hearing.

Mr. ARENS. You are represented by counsel?

Mr. RACKOFF. Yes; I am represented by counsel.

Mr. ARENS. Counsel, will you kindly, on this record, identify yourself?

Mr. HOWARD. I am Attorney W. M. Howard, of Youngstown, Ohio, 317 Terminal Building, member of the American Bar Association, Ohio Bar Association, and the Mahoning County Bar Association.

Mr. ARENS. What is the book, Mr. Rackoff, that you have been alluding to so far?

Mr. RACKOFF. Just a book of my personal matters, a book in which I intend to keep notes as you ask your questions.

Mr. ARENS. Where and when were you born?

(The witness conferred with his counsel.)

Mr. RACKOFF. I am born in Portland, Maine.

Mr. ARENS. And when, please, sir?

Mr. RACKOFF. July 14, 1919.

Mr. ARENS. And please tell us a word about your formal education.

Mr. RACKOFF. Well, let's see, now. How early did you want to start?

Mr. ARENS. Let's start with your high-school education. Did you go to high school?

Mr. RACKOFF. I attended a religious school in Borough Park, and then transferred to Yeshiva University.

Mr. ARENS. Where is that located, please, sir?

Mr. RACKOFF. It is located at 186th Street and Amsterdam Avenue.

Mr. ARENS. In what town, please?

Mr. RACKOFF. In Manhattan. And I graduated—no; I took 2 years in Yeshiva University. I attended a year in Southern Methodist College, and attended some courses in Texas Christian University.

Mr. ARENS. Did you graduate from college?

Mr. RACKOFF. I did not.

Mr. ARENS. When did you complete your formal education, or the formal education which you have received? When was the last?

Mr. RACKOFF. I think it was—let see, now—1939 or 1940.

Mr. ARENS. All right, sir. Now kindly tell us what was your principal employment as soon as you had finished your formal education?

Mr. RACKOFF. Well, I was being employed at the time that I was attending school. I was an assistant minister, and at the time I was attending college in Dallas, Tex., and I also held a similar position here in Youngstown, immediately following my leaving Texas.

Mr. ARENS. All right, sir. And how long did you pursue that vocation?

Mr. RACKOFF. Just about prior to my entry into the Army.

Mr. ARENS. Well, about how long was that? Just your best judgment, your best recollection.

Mr. RACKOFF. I entered the Army in March and I left this position in February.

Mr. ARENS. Of what year was that, please; 1940?

Mr. RACKOFF. 1942.

Mr. ARENS. Did you receive a commission in the Army?

Mr. RACKOFF. I was first lieutenant, Medical Administrative Corps; wounded in 1944, in the performance of my duties.

Mr. ARENS. Where did you serve in the Army?

Mr. RACKOFF. I served with the 83d Infantry Division, 329th Regiment, in the European theater of operations. I received the Purple Heart, having been wounded alongside of Colonel Speide, whose life I went to save, and returned to active duty, of course, after the hospitalization, and in the Elm Feeder operations, I believe it was Patton's army, or the Ninth Army.

Mr. ARENS. During the course of your period of service in the Army, were you under the discipline of any organization controlled by a foreign power?

Mr. RACKOFF. Well, I will answer that question this way: As a 100-percent, red-blooded American citizen, serving my country, and getting my rear end blowed up for it, I refuse to answer such a silly question, on the grounds of the fifth amendment.

Mr. ARENS. When you say that you refuse to answer such a silly question, on the grounds of the fifth amendment, do you mean that if you gave us a truthful answer to the question as to whether or not, while you were wearing the uniform of this Government, you were under the discipline of an organization controlled by a foreign power, you would be supplying information which might be used against you in a criminal proceeding?

Mr. RACKOFF. The fifth amendment protects the innocent as well as the guilty. I invoke the fifth amendment.

Mr. ARENS. Let's ask you another question.

By the way, are you beginning to discover what the subject matter is of this proceeding?

Mr. RACKOFF. Not quite, sir, not quite.

Mr. ARENS. Perhaps we will get along on that a little bit more.

Mr. RACKOFF. I am sure we can discover things as we go along.

Mr. ARENS. Did you take an oath of allegiance as a prerequisite to obtaining your commission, an oath of allegiance to support and defend the Constitution of the United States?

Mr. RACKOFF. If they gave such oaths in those days, I probably took one.

Mr. ARENS. Do you recall taking the oath?

Mr. RACKOFF. It is about 14 or 16 years ago.

Mr. ARENS. You don't recall whether you took it or not?

Mr. RACKOFF. I don't recall.

Mr. ARENS. All right, sir. What was your first employment after you were disassociated from the Armed Forces of this Nation?

Mr. RACKOFF. I went back to United States Steel. That is, there was around a 2-week period between my leaving the employ as a minister, in which I had around a couple of weeks to kill, because I was waiting my call up to the Army. I went to work in the mill, just to waste some time, for about 2 weeks, and when I came back I had my seniority from the mill and so I went right back to work at United States Steel.

Mr. ARENS. And what year was that?

Mr. RACKOFF. At that time it was 1945, about October or November of 1945, something like that.

Mr. ARENS. And that was at Carnegie Steel. How long were you then associated at Carnegie Steel?

Mr. RACKOFF. Around 2 years.

Mr. ARENS. And your next employment?

Mr. RACKOFF. Well, I worked at Sheet & Tube since around January of 1948, I think. Well, it is 9 years ago, anyhow, this coming January.

Mr. ARENS. May I ask you, did you go right from Carnegie to the Youngstown Sheet & Tube, and have you maintained your employment continuously since?

Mr. RACKOFF. I don't recall.

Mr. ARENS. Well, is there any hiatus or break in your employment, between——

Mr. RACKOFF. A couple of weeks. I was contemplating going back to school and I didn't know what to do. I don't recall what I did.

Mr. ARENS. Have you continued your ministerial activities on the side?

Mr. RACKOFF. Yes; on occasion I conduct services.

Mr. ARENS. Are you licensed now?

Mr. RACKOFF. No; in the congregation I serve you don't have to be licensed. You sing services and perhaps teach some classes, and things like that.

Mr. ARENS. I beg your pardon?

Mr. RACKOFF. Teach religious classes.

Mr. ARENS. Do you teach classes?

Mr. RACKOFF. On occasion, when I am asked to fill in for substitutes and so on.

Mr. ARENS. Just regular Sunday-school classes?

Mr. RACKOFF. Yes, sir.

Mr. ARENS. Now tell us about some of your other outside activities. Have you been identified or have you been active in the cultural uplift in the community by a cultural association here?

Mr. RACKOFF. What do you mean by that? I don't understand it.

Mr. ARENS. Perhaps I better be a little more specific.

Mr. RACKOFF. I wish you would.

Mr. ARENS. I will try. Have you ever been identified with the United Cultural Association, which has a beautiful home at 1440 Thorn Hill Road?

(The witness conferred with his counsel.)

Mr. RACKOFF. On the grounds that this place has been mentioned in several respects recently, I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. What do you mean it "has been mentioned in several respects"?

Mr. RACKOFF. I attended here yesterday and there were several allegations. I don't intend to commit myself to any kind of monkey business. I answered on the first and fifth amendments.

Mr. ARENS. What kinds of allegations were there?

Mr. RACKOFF. I refuse to answer on the first and fifth amendments.

Mr. ARENS. The fact is the United Cultural Association is controlled lock, stock, and barrel by the Communist conspiracy in this community, isn't that correct?

Mr. RACKOFF. It is of no interest to me. I refuse to answer on the first and fifth amendments.

Mr. ARENS. Now, were you identified with the International Workers Order?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know Spiridon Comanita?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Back here just a few years ago, in 1949, you were one of the leading lights in a big dinner honoring Spiridon Comanita which was held out there at the Communist headquarters, 1440 Thorn Hill Road in this community, isn't that correct? If it isn't, deny it while you are under oath.

Mr. RACKOFF. That is all very interesting. I refuse to answer under the first and fifth amendments.

Mr. ARENS. You attended a May Day Rally, the annual great festival occasion of the Communist Party, there at 1440 Thorn Hill Road, United Cultural Association, a few years back, isn't that true?

Mr. RACKOFF. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. You attended a big memorial meeting, you, a minister of the Gospel, attended a big memorial meeting, honoring the chief architect of the atheistic, godless philosophy of communism, Nikolai Lenin, at this United Cultural Association on February 13, 1949, didn't you? And if it isn't true, deny it while you are under oath.

Mr. RACKOFF. That is quite a speech. I refuse to answer under the first and fifth amendments.

Mr. ARENS. Was the speech true?

Mr. RACKOFF. I am referring to your speech, sir.

Mr. ARENS. Was it true?

Mr. RACKOFF. I am referring to your speech.

Mr. ARENS. Was it true?

Mr. RACKOFF. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you told this committee while you are under oath whether or not you attended this session in honor of Lenin, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. RACKOFF. As a former officer in the United States Army, serving my country, I refuse to answer such a filthy question on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully request that the witness be ordered and directed at his peril to answer that question.

Mr. WILLIS. Yes, because that strikes at whether or not you are honestly invoking the privilege of the fifth amendment. You are directed to answer the question.

(The witness conferred with his counsel).

Mr. RACKOFF. I respectfully answer it in the same way, the first and fifth amendments.

Mr. ARENS. Now, Mr. Rackoff, what have you done in the course of the last few years in this community in the way of uplift and protection of the foreign born of this area? Have you been affiliated with any organization that is dedicated to sustain and defend and protect the foreign born?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer on the basis of the first and fifth amendments.

Mr. ARENS. You are one of the leading lights or were one of the leading lights of the American Committee for Protection of Foreign Born, are you not, which is the oldest Communist front in the country?

Mr. RACKOFF. I refuse to answer on the grounds of the fifth amendment, the first and fifth amendments.

Mr. WILLIS. That organization has been cited, has it not?

Mr. ARENS. It has been cited, Mr. Chairman, repeatedly.

Mr. RACKOFF. I am not aware of that.

Mr. ARENS. You are not aware of it?

Mr. RACKOFF. I am not aware of anything you are talking about.

Mr. ARENS. Are you aware of the existence in this community of the American Committee for Protection of Foreign Born?

Mr. RACKOFF. I am not aware of anything like that.

Mr. ARENS. Are you aware that you are a member of the American Committee for Protection of Foreign Born?

Mr. RACKOFF. I refuse to answer on the grounds of the fifth and first amendments.

Mr. ARENS. Are you beginning to understand the nature of this inquiry, now, Mr. Rackoff?

Mr. RACKOFF. No.

Mr. ARENS. Can you tell us about an organization here called the United Negro and Allied Veterans of America? Did you ever hear of that organization?

Mr. RACKOFF. I choose not to answer under the first and fifth amendments.

Mr. ARENS. You were one of the moving lights of the United Negro and Allied Veterans of America in this community, were you not?

Mr. RACKOFF. Quite interesting. I refuse to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Are you a member of any organization that is dedicated to the destruction of religion, dedicated to the destruction of the entire Judo-Christian concept upon which this Nation is founded?

(The witness conferred with his counsel.)

Mr. RACKOFF. Will you please break it down? That is quite a long speech.

Mr. ARENS. Yes. Are you a member of any organization which is an atheistic organization, dedicated to the destruction of religion, the sanctity of the individual, of all concepts of God and of the spiritual——

Mr. RACKOFF. You know very well that is an insult to me. I refuse to answer on the first and fifth amendments.

Mr. ARENS. If I am insulting you, you stand up now, like a red-blooded American, while you are under oath before this committee and in this community and deny that you are a member of the Communist conspiracy.

Mr. RACKOFF. I stand up like a red-blooded American and refuse to answer such a question on the first and fifth amendments.

Mr. ARENS. Mr. Rackoff, do you know a man by the name of Garfield, David Garfield?

Mr. RACKOFF. I refuse to answer on the first and fifth amendments.

Mr. ARENS. Mr. Garfield, will you stand up in the courtroom, please?

Mr. Rackoff, look over your left shoulder there, would you please? Did you ever see that man before?

Mr. RACKOFF. He is a handsome young man, I might say.

Mr. ARENS. Did you ever see him before?

Mr. RACKOFF. I refuse to answer on the first and fifth amendments.

Mr. ARENS. Why?

Mr. RACKOFF. I refuse to answer on the first and fifth amendments.

Mr. ARENS. Do you honestly feel now, Mr. Rackoff, that if you gave this committee a truthful answer as to whether or not you have ever seen that young man before you might be supplying information that could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer on the basis of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed, at his peril, to answer that question.

Mr. WILLIS. You are ordered to answer the question, because only by answering this question are you informing us whether you are honestly invoking the privilege of immunity of the fifth amendment. So you are ordered to answer it.

Mr. RACKOFF. I respectfully submit, sir, that your counsel has repeatedly insulted me publicly, insinuated many things. I, therefore, refuse to answer a question like that on the first and fifth amendments.

Mr. ARENS. It would be an insult to call anybody in these days a Communist and so I will call you a Communist now and you deny it while you are under oath. You are now a member of the Communist Party. Will you please deny it while you are under oath?

Mr. HOWARD. The chairman asked a question. He never completed answering. Could he complete the answer to the chairman?

Mr. WILLIS. Yes. The answer that he gave was not an invocation of the constitutional privilege.

(The witness conferred with his counsel.)

Mr. RACKOFF. Sir, I honestly believe that I must at this time invoke the first and fifth amendments and seek the protection of the Constitution.

Mr. WILLIS. I must inform you that your answer does not satisfy me and the committee's appreciation of what the law is. But you have a lawyer, and so we need not go into it. I do not want to admonish you anymore.

Mr. RACKOFF. I am sorry, sir, but I have certain pride in myself. I didn't serve my country for four years and get shot up for nothing, and this kind of stuff doesn't fool me at all. I am sick and tired of it.

Mr. ARENS. Mr. Garfield took an oath yesterday here, Mr. Rackoff, laid himself open to the pains and penalties of perjury. In other words, if he lies, or if he lied under oath to this committee, he can be prosecuted and will be prosecuted for perjury. He told this committee while he was under oath yesterday that while he was a member of the Communist Party he knew you as a Communist. Now, while you are under oath, why don't you deny it? Why don't you say "Garfield is impugning my integrity and my motives and my patriotism, and he is hurting my pride?" Why don't you do that right now while you are under oath? Here is your opportunity now to deny it.

(The witness conferred with his counsel.)

Mr. RACKOFF. Certainly, I must admit, you make better speeches than I do. I refuse to answer under the first and fifth amendments.

Mr. ARENS. While you have been employed at this sheet and tube establishment, Youngstown Sheet & Tube establishment, have you, while you were on the premises, been under the discipline of the Communist Party?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer that under the first and fifth amendments.

Mr. ARENS. What are your specific tasks at the Youngstown Sheet & Tube Co.?

(The witness conferred with his counsel.)

Mr. RACKOFF. Well, I can describe the job to you. We have a pipe yard outside that accepts left-over pipe from the mill, and the pipe comes in from the main plant in gondolas. This is an outside pipe yard which we work all year round, in freezing weather, rain, snow, and whatnot. The pipe comes in there. We sort out the pipe with the aid of a crane. I am what they call a hooker. Then the pipe is in piles and we load it out to the destination, in whatever the customer wants. I am in effect what they call a pipe hooker, a cable slinger.

Mr. ARENS. What else do you do while you are on the job besides that for which you receive your pay from the Youngstown Sheet & Tube Co.? Do you engage in any other activity?

Mr. RACKOFF. Well, I am a safety man, sometimes, for the company.

Mr. ARENS. Any other activity while you are on the job?

Mr. RACKOFF. Yes. I lost my finger in the service of the employ of the company.

Mr. ARENS. Any other activity?

Mr. RACKOFF. I get my shins kicked up every now and then with pipe.

Mr. ARENS. Any other activity for which you are not paid and in which you engage while you are there at the Youngstown Sheet & Tube Co.?

Mr. RACKOFF. Would you kindly specify the nature of your question?

Mr. ARENS. Yes. You have difficulty comprehending the nature of the entire proceeding.

Mr. RACKOFF. The entire proceeding is quite unintelligible to me, sir.

Mr. ARENS. I beg your pardon?

Mr. RACKOFF. I don't understand the proceeding.

Mr. ARENS. Do you do any recruiting for any organizations in this community while you are at the Youngstown Sheet & Tube Co.?

Mr. RACKOFF. What organizations?

Mr. ARENS. The Communist Party.

Mr. RACKOFF. The company pays me to work there. I work. I refuse to answer any other questions on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you are recruiting for the Communist Party at the Youngstown Sheet & Tube Co., while you are engaged there, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer on the first and fifth amendments. Your insinuations are insulting.

Mr. ARENS. If the insinuations are insulting and untrue, why don't you deny it while you are under oath?

Mr. RACKOFF. I refuse to answer that question.

Mr. ARENS. You know you are under oath, do you not?

Mr. RACKOFF. Yes, sir.

Mr. ARENS. And you know that if you lied to this committee you can be prosecuted for perjury, do you not?

Mr. RACKOFF. That is right here.

Mr. ARENS. Do you expect now, when you are released from your subpena, released from the pains and penalties of perjury, released from the obligations of your oath, to step out there in the hall or to go back to your employers, or to announce to the press "Of course I am not a Communist, I have never been a Communist, but I wasn't going to tell that witch-hunting, red-baiting, House Un-American Activities Committee anything about it"?

Is that what you expect to do?

Mr. HOWARD. Just a minute. Mr. Chairman, I would like to object——

Mr. ARENS. Counsel must be advised that counsel's sole and exclusive prerogative in this proceeding is to advise his client respecting his constitutional rights.

(The witness conferred with his counsel.)

Mr. RACKOFF. I refuse to answer the question on the grounds that it is irrelevant to the matter at hand, and on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. I do not think questioning this witness all day long would bring out any more than our able counsel has been able to bring out of such a wisecracker. I just want to say that this witness is typical of a lot of hard-core Communists that we have run into all over the country during the last several years, and answers the questions facetiously. I do not think he is patriotic in any way, shape, or form. Again, I would entreat the security organizations of this Nation of ours to be on guard and watch this witness.

Mr. RACKOFF. Sir, you have your last statement. Permit me——

Mr. VELDE. I did not ask you any questions.

Mr. RACKOFF. You directed your statement to me.

Mr. WILLIS. The witness may be excused.

Mr. RACKOFF. Yes, sir.

Mr. WILLIS. We will take a brief recess.

(Brief recess.)

(At the taking of the recess, the following members were present: Representatives Willis and Velde.)

(After the taking of the recess, the following members were present: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will be in order.

Counsel will proceed.

Mr. ARENS. Mr. Frank Peoples, will you kindly come forward?

Mr. Peoples, remain standing, if you please, and the chairman will administer the oath to you.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PEOPLES. I do.

TESTIMONY OF FRANK PEOPLES

Mr. ARENS. Have a seat, if you please.

Would you kindly identify yourself by name, residence, and occupation?

Mr. PEOPLES. Frank Peoples, 1801 West 21st Street, Lorain, Ohio.

Mr. ARENS. You might spell your name, Mr. Peoples, so there will be no question about it.

Mr. PEOPLES. The first or last name?

Mr. ARENS. The first is Frank, is it not?

Mr. PEOPLES. Yes.

Mr. ARENS. How do you spell your last name?

Mr. PEOPLES. P-e-o-p-l-e-s.

Mr. ARENS. And your address, again?

Mr. PEOPLES. 1801 West 21st Street, Lorain, Ohio.

Mr. ARENS. And your occupation?

Mr. PEOPLES. I am a heater in the national tube steel industry.

Mr. ARENS. Mr. Peoples, have you ever been a member of the Communist Party?

Mr. PEOPLES. Yes, I have.

Mr. ARENS. Mr. Peoples, just give us, if you would, please, the dates of your membership of the Communist Party, and the principal posts in the Communist Party which you have held.

Mr. PEOPLES. Well, from early 1944 through early 1950, 1950 or 1951, I am not sure, I was a chairman of a steel group in the Communist Party.

Mr. ARENS. Where?

Mr. PEOPLES. In Lorain.

Mr. ARENS. During the time that you were in the Communist Party, were you serving your country by being a source of information for the Federal Bureau of Investigation?

Mr. PEOPLES. Yes, I was.

Mr. ARENS. You have testified at length in an executive session before this committee on a number of items, have you not, Mr. Peoples?

Mr. PEOPLES. Yes, I have.

Mr. ARENS. We don't expect to cover the same general area this morning with you, as we did in the executive session in which we were detailing a number of items which we don't propose to go into this morning.

Mr. WILLIS. Let me get the record straight. In other words, during all the time that you were a so-called Communist actually you were in touch with the FBI? Let us get that straight. Is that not right?

Mr. PEOPLES. From my first inception into the party.

Mr. WILLIS. And you were simply serving your country?

Mr. PEOPLES. There is no question about that.

Mr. WILLIS. God bless you.

Mr. ARENS. You have never been ideologically in sympathy with the Communist Party, have you?

Mr. PEOPLES. If I understand what you mean, I most certainly have not.

Mr. ARENS. As the chairman has just said, to make it absolutely clear, you were only in the Communist Party at the behest of the Federal Bureau of Investigation as an undercover operator; is that correct?

Mr. PEOPLES. That is correct.

Mr. ARENS. I have, then, Mr. Peoples, a few general areas of information that we would like to have you tell us about on this record publicly this morning. What importance does the Communist Party attach to infiltration in the steel industry and in heavy industry?

Mr. PEOPLES. Infiltrating, we were taught in the party, is very important in all basic industries.

Mr. ARENS. Why?

Mr. PEOPLES. It is important for the building of the Communist Party, and we were taught to strengthen the Communist Party in this country whereby the forces would be strong enough so that when the proper time arrived, as they called it, they could take over the Government.

Mr. ARENS. Did you receive any instruction in the Communist Party while you were an undercover agent for the Federal Bureau of Investigation, in devices, modes of sabotage to stop production in a plant in the event the whistle is blown by the hierarchy of the conspiracy?

Mr. PEOPLES. Yes, indeed.

Mr. ARENS. Could you give us just a word about that, sir?

Mr. PEOPLES. One specific incident that I remember very clearly is in the plant where I work. We had one Reuel Stanfield, who at that time was a member of our branch. At that time he was employed in the fuel and power department of the National Tube Co. At one of our Communist meetings, the importance was being stressed among the various members of the group on members of the party holding strategic positions in industry. This Stanfield at that time expressed the importance of his position. He said that in the department where he worked, which was the fuel and power, he could stop production within this plant, the entire plant, within just a few minutes. In fact, he could shut down the entire plant within 10 minutes.

Mr. ARENS. Was that taught to the specialized comrades as to how to do all of this, to stop production?

Mr. PEOPLES. Yes, indeed.

Mr. ARENS. Did you ever attend Communist Party meetings in Youngstown while you were an undercover agent for the Federal Bureau of Investigation?

Mr. PEOPLES. Yes, I did. Several.

Mr. ARENS. What importance does the Communist Party attach to penetration in the Youngstown industrial center?

Mr. PEOPLES. At the meetings I attended in Youngstown, they were—I forgot to say that I was a member, during my membership of the party, of the Ohio Steel Commission, and, of course, at most——

Mr. ARENS. That is the Ohio Steel Commission of the Communist Party?

Mr. PEOPLES. Of the Communist Party. So at most conventions or conferences, whatever they called them, I was a delegate to these. That is why I happened to be in Youngstown on these several occasions. During the conferences and conventions in Youngstown, the importance was stressed on steel, of infiltrating into the industries and recruiting members into the Communist Party.

Mr. ARENS. Did you ever know a person by the name of Marjorie Albert?

Mr. PEOPLES. I have heard that name.

Mr. ARENS. The wife of Paul Albert.

Mr. PEOPLES. I have heard those names.

Mr. ARENS. Did you know Paul Albert?

Mr. PEOPLES. I know of him.

Mr. ARENS. Do you know a man by the name of Hyman Lumer?

Mr. PEOPLES. Yes, I do; very definitely.

Mr. ARENS. Did you know him as a Communist?

Mr. PEOPLES. Yes, I did.

Mr. ARENS. Did you ever serve in any closed Communist meetings with Hyman Lumer?

Mr. PEOPLES. Many times.

Mr. WILLIS. That is the first witness we had this morning, the one with the doctor of philosophy and other degrees.

Mr. ARENS. What was Hyman Lumer's status when you served with him in the party, and how did you know him? Tell us a word about that, please.

Mr. PEOPLES. The first time I knew Hy Lumer he was teaching a school in the Communist Party at the church building on 12th Street. I think it was the Methodist Church, but I am not positive.

Mr. ARENS. In what city?

Mr. PEOPLES. In Cleveland, Ohio. At that time, he held a class on the importance of organized labor in the Communist Party; how they could help to carry the program of the Communist Party.

Mr. ARENS. What year was it that he taught in this Communist school?

Mr. PEOPLES. If I recall, it was in, I would say, the middle 1940's.

Mr. ARENS. And what other experience, if any, have you had with Hyman Lumer?

Mr. PEOPLES. Any number of Communist meetings and classes.

Mr. ARENS. Have you ever known a person by the name of Sak Levin?

Mr. PEOPLES. Yes, I have.

Mr. ARENS. What has been the nature of your acquaintanceship with him?

Mr. PEOPLES. At one time, Sak Levin directed the Communist program in Lorain, the Lorain branch of the Communist Party.

Mr. ARENS. Did you know him as a Communist?

Mr. PEOPLES. Yes, I did.

Mr. ARENS. Who served with you on this steel commission of the Communist Party in Ohio during your membership in the party?

Mr. PEOPLES. Do you mean all of the members?

Mr. ARENS. Give us the principal members on the steel commission.

Mr. PEOPLES. I don't understand the question. Do you mean in Ohio?

Mr. ARENS. Yes, in Ohio.

Mr. PEOPLES. We had one Joe Brandt, Andy Onda, or Ando, something to that effect, Ed Chaka——

Mr. WILLIS. He is the one who testified here yesterday.

Mr. PEOPLES. I wasn't here yesterday.

Mr. WILLIS. Both he and his wife. Or, at least, those are the ones who did not testify, but they took the stand.

Mr. ARENS. We want you to recount some of the principal ones. You have given 4 or 5. Are there any other ones who were principal members on the steel commission?

Mr. PEOPLES. Gus Hall. Well, there were quite a few, but I don't recall the names of them all.

Mr. ARENS. When did you come out from undercover in the Communist apparatus?

Mr. PEOPLES. Publicly?

Mr. ARENS. Yes.

Mr. PEOPLES. I testified a year ago, I think, this November, at a conspiracy trial in Cleveland, Ohio.

Mr. ARENS. And after you were publicly revealed as an undercover agent for the Federal Bureau of Investigation, did you have any experience of a particular note with the Communist Party or someone operating at the behest of the Communist Party?

Mr. PEOPLES. Just what kind of experience?

Mr. ARENS. Were you ever threatened?

Mr. PEOPLES. Yes. I was attacked at one time.

Mr. ARENS. Could you give us just a word about the attack?

Mr. PEOPLES. By a member of—I will say a former member. I don't know whether he is still a member of the Communist Party.

Mr. ARENS. A man to your knowledge, who had been a member of the Communist Party, at least?

Mr. PEOPLES. That is right. I knew him in the Communist Party.

Mr. ARENS. Where did the attack take place?

Mr. PEOPLES. On East 21st Street, Lorain, Ohio. I arrived from my destination in a car, and as I alighted from the car, he stepped up on the curb, stepped up to me, and he greeted me, and I wasn't expecting anything too much. I looked down and he had a knife in my ribs. He began to call me names, and I told him to get out of here before he gets hurt.

Mr. ARENS. What kind of names did he call you? I am not asking for the general profanity, but what was the general epithet?

Mr. PEOPLES. It was profane.

Mr. ARENS. Did he call you a stool pigeon?

Mr. PEOPLES. Yes, that was included.

Mr. ARENS. Informant?

Mr. PEOPLES. Well, it was even worse than that.

Mr. ARENS. I see. We on the committee are used to that. We get that every week.

Mr. PEOPLES. I asked him to move away, and he followed me off. I walked away from him, and I then had a chance to pick up a piece of pipe. Up to that time, he didn't move. But when I got the pipe, he beat it. I was just going to give it to him.

Mr. ARENS. What was the name of the person who attacked you with the knife?

Mr. PEOPLES. Evans, Willy Evans.

Mr. ARENS. And where does he live?

Mr. PEOPLES. At that time he was residing in Lorain.

Mr. ARENS. To what extent was the Communist Party underground at the time you disassociated yourself from the party? To what extent was it underground as compared to its aboveground operations?

Mr. PEOPLES. Well, after the inception of the so-called antilabor legislation, which was at that time, I think, before Congress, definite plans were made to protect the security of the party by going underground.

Mr. ARENS. By the antilabor legislation, when you say the so-called antilabor legislation, you mean the Internal Security Act; do you not?

Mr. PEOPLES. That is what they called it.

Mr. ARENS. The Internal Security Act and other legislation?

Mr. PEOPLES. The Mundt bill; yes.

Mr. ARENS. The Mundt bill and the Ferguson bill, designed to expose the Communist conspiratorial apparatus?

Mr. PEOPLES. That is right.

Mr. ARENS. It was just going underground when you left the party?

Mr. PEOPLES. Plans had been made to go underground, even from the arrest of the leaders.

Mr. ARENS. Did they have any arrangements for underground printing presses that you knew about?

Mr. PEOPLES. Yes, we did in our section.

Mr. ARENS. And your section was up around Lorain?

Mr. PEOPLES. At Lorain, that is right.

Mr. ARENS. You, as I said, have testified at length in executive session on matters that we don't care to go into at this time in public session.

Mr. Chairman, I would respectfully suggest that that would conclude the staff interrogation of this witness.

Mr. VELDE. I have no questions, Mr. Witness, but I want to compliment you on your very fine testimony and your very patriotic service to this country.

Mr. PEOPLES. Thank you, sir.

Mr. WILLIS. Let me say, Mr. Peoples, that I want to associate myself with the remarks made by my colleague, Mr. Velde. I do not know whether you know it, but I guess you do, that before the FBI tapped you on the shoulder to let you work for them, or under them, you were, yourself, very thoroughly investigated, as are all the others, and the fact that you were associated with the organization which, in my judgment, is the finest type of investigative body in the entire world, and that they picked you to work through them and to report to them, is the best proof in the world that you are a typical, a fine, a topnotch American, and I salute you for myself, for our committee, and for Congress.

Thank you very much.

Mr. PEOPLES. Thank you, sir.

Mr. ARENS. Mr. Andy Bathory, please come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BATHORY. I do.

TESTIMONY OF ANDY BATHORY, ACCOMPANIED BY COUNSEL, THELMA C. FURRY

Mr. ARENS. Have a seat, if you please.

Miss FURRY. I want to say to the counsel that Mr. Bathory is extremely hard of hearing, and this morning he wasn't able to hear any of your questions while sitting in the back. I don't know what trouble we will have.

Mr. ARENS. We will raise our voices.

Mr. Bathory, can you hear me all right?

Mr. BATHORY. Not very good, sir.

Mr. ARENS. Would you prefer that I come down there to the table where you sit now and talk to you there, or can you hear me now?

Mr. BATHORY. No, I can't.

Mr. ARENS. Counsel, I don't want to intrude within the privacy of your relationship with your client, but I think I could best proceed if I go down there.

Miss FURRY. Might I put myself on record as his attorney and make a statement?

Mr. ARENS. Just a moment, please.

Please identify yourself by name, residence, and occupation.

Mr. BATHORY. I think it would be better if we have it close to the table, instead of this, because the sound is not good. I can't make it out. I can hear the voice but I can't make out the words.

Mr. ARENS. Please identify yourself for this committee by name, residence, and occupation.

Mr. BATHORY. Andy Bathory.

Mr. ARENS. And your residence?

Mr. BATHORY. 2320 South Niles Canfield Road.

Mr. ARENS. In what city?

Mr. BATHORY. That is Youngstown. The mail is Youngstown.

Mr. ARENS. Mr. Bathory, you are appearing here today in this proceeding in response to a subpena which was served upon you by the House Committee on Un-American Activities; is that correct?

Mr. BATHORY. Do you mean I got——

Mr. ARENS. Do you have a subpena in your pocket that was served upon you?

Mr. BATHORY. You mean they sent a paper out?

Mr. ARENS. Yes, sir.

Mr. BATHORY. That is right.

Mr. ARENS. And you are represented by counsel? You have a lawyer here today representing you, the lady seated to your left; is that correct?

Mr. BATHORY. Yes.

Mr. ARENS. Kindly identify yourself, Counsel.

Miss FURRY. Thelma C. Furry, Akron, Ohio.

Mr. ARENS. Where were your born?

Mr. BATHORY. Hungary.

Mr. ARENS. When?

Mr. BATHORY. 1896.

Mr. ARENS. When did you come to the United States?

Mr. BATHORY. 1912.

Mr. ARENS. Are you a naturalized citizen?

Mr. BATHORY. Yes, sir.

Mr. ARENS. When were you naturalized?

Mr. BATHORY. 1928.

Mr. ARENS. Where?

Mr. BATHORY. In Mahoning County.

Mr. ARENS. Is that the county where Youngstown is?

Mr. BATHORY. Yes.

Mr. ARENS. What was the year again?

Mr. BATHORY. 1928.

Mr. ARENS. Where do you work?

Mr. BATHORY. I work at United States Steel.

Mr. ARENS. Where in the United States Steel plants do you work?

Mr. BATHORY. Over here at the Ohio works.

Mr. ARENS. How long have you worked there?

Mr. BATHORY. 22 years.

Mr. ARENS. Do you belong to the United Cultural Association, Mr. Bathory?

Mr. BATHORY. I refuse to answer on that. I will use the fifth amendment.

Mr. ARENS. Why?

Mr. BATHORY. I use the fifth amendment to answer on that because I respect the law of the United States.

Mr. ARENS. Because you respect the laws of the United States?

Mr. BATHORY. That is right.

Mr. ARENS. Are you a member of an organization, Mr. Bathory, that is designed to destroy the Constitution of the United States?

Mr. BATHORY. I refuse to answer on that. I use the fifth amendment on that.

Mr. ARENS. You are one of the officers, one of the incorporators of this United Cultural Association over here on Thorn Hill Road, isn't that correct?

Mr. BATHORY. I refuse to answer on that.

Mr. ARENS. Do you feel if you told us whether or not you are connected with this United Cultural Association you would be giving information that might be used against you in a criminal proceeding?

Mr. BATHORY. I refuse to answer on that ground.

Mr. ARENS. In 1928, when you were naturalized, were you a Communist then?

Mr. BATHORY. I refuse to answer on that.

Mr. ARENS. Do you know a young fellow by the name of Garfield?

Mr. BATHORY. I refuse to answer that question.

Mr. ARENS. Mr. Garfield, stand up there, would you, please?

Look over here, Mr. Bathory, over your left shoulder. Do you see this young fellow? Did you ever see him before?

Mr. BATHORY. I refuse to answer on that.

Mr. ARENS. Mr. Bathory, this man yesterday testified while he was under oath that he knew you as a Communist. That is a pretty bad thing to say about a person these days. Was he lying or was he telling the truth when he was under oath here?

Mr. BATHORY. I refuse to answer that question.

Mr. ARENS. I have here, Mr. Bathory, a photostatic copy of the Community Daily Worker for April 1950 (April 6, p. 8).

Mr. WILLIS. Ask him does he know what the Communist Daily Worker is.

Mr. ARENS. Do you know what the Communist Daily Worker is? Do you know about that paper?

Mr. BATHORY. I use the fifth amendment on that, too, sir. I refuse to answer.

Mr. ARENS. Look here with me. I have here now, Mr. Bathory, the Communist Daily Worker of April 6, 1950. Do you see the article, Ohio AFL, CIO, and UMW Hit Mundt Bill? This article lists a number of people who are denouncing the Mundt bill in the Congress, including an Andy Bathory, committeeman, Local 1330, United Steelworkers. Do you remember the time you signed up here to denounce the Mundt bill?

(Document marked "Bathory Exhibit No. 1" and filed for information of committee.)

Mr. BATHORY. I refuse to answer that question, sir, on the fifth amendment.

Mr. ARENS. In 1950 were you in Local 1330 of the United Steelworkers?

Mr. BATHORY. I refuse to answer.

Mr. ARENS. Wait a moment. I think you should hesitate on that one a minute. In 1950, were you a member of Local 1330 of United Steelworkers?

Mr. BATHORY. I think I refuse to answer on that.

Mr. ARENS. Counsel, I respectfully suggest that you might want to confer with your client on that point.

Miss FURRY. I want to say for the record that it is impossible——

Mr. WILLIS. No, we do not want that. You are appearing as counsel to advise your client on your appreciation of the law. Our

lawyer is being very kind to you and to your client, and we are not going to go into it any more. He simply asked was he a member of Local 1330 affiliated with the fine organization in labor of the United Steelworkers. I have ordered him and I now order him to answer that question.

Miss FURRY. It is impossible for me to confer with my client. He cannot hear me.

Mr. WILLIS. You are ordered to answer the question.

Mr. BATHORY. What is the question?

Mr. ARENS. The question outstanding is: In 1950, were you a member of Local 1330 of the United Steelworkers?

Mr. WILLIS. Would counsel care to consult with client?

Miss FURRY. I say we will have to leave the table for some private conference. I will have to speak so loudly the whole room will hear me. I cannot have a private conference at this spot with this client.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that counsel and client be permitted to retire for a few moments. I think counsel will probably advise client a little differently on this matter.

Mr. WILLIS. The committee will stand in recess for a couple of minutes.

(Brief recess.)

(At the taking of the recess, the following members were present: Representatives Willis and Velde.)

(After the taking of the recess, the following members were present: Representatives Willis and Velde.)

Mr. WILLIS. The committee will resume its session.

Mr. ARENS. Are you ready to answer the question now, Mr. Bathory?

Mr. BATHORY. Well, I refuse to answer that I belong to any organization according to the fifth amendment, sir.

Mr. ARENS. I want the record to be absolutely clear, now. In the presence of your counsel and this hearing, do you refuse to tell this committee whether or not in 1950 you were a member of Local 1330, United Steelworkers?

Mr. BATHORY. Well, just like I said, I refuse to say I belong to any organization according to the fifth amendment, and I respect the laws of the Government.

Mr. ARENS. All right, sir.

I want the record, if you please, Mr. Chairman, to reflect at this point a direction for him to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mr. BATHORY. I didn't get it.

Miss FURRY. The chairman has ordered you to answer the question. I am advising you to answer the same way.

Mr. BATHORY. I still use the fifth amendment, sir.

Mr. ARENS. Did you take a trip to Washington, D. C., in 1949?

Mr. BATHORY. I refuse to answer that, sir, according to the fifth amendment.

Mr. ARENS. As a matter of fact, in 1949, you took a trip to Washington, D. C., and while there were in contact with the Hungarian Embassy; isn't that true?

Mr. BATHORY. I refuse to answer that, sir, and I use the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are and have been a contact in this community of the Hungarian Embassy, of the Communist conspiracy in this nation. If that isn't true, while you are under oath right now, you deny it.

Mr. BATHORY. I refuse to answer on that, sir, and I use the fifth amendment on that.

Mr. ARENS. Have you been reading the papers recently about the events in Hungary, the shooting and the rioting?

Mr. BATHORY. I have been reading about it.

Mr. ARENS. You have been reading about it?

Mr. BATHORY. Yes.

Mr. ARENS. Do you know about the Kremlin soldiers, Russia's soldiers, marching into the country in which you were born, and mowing down the people like they were wheat in a wheatfield? Do you know about that?

Mr. BATHORY. I don't know, Sometime I read a paper and sometime I don't read a paper. I get a little bit of news once in awhile. I am kind of busy. I got a bunch of chickens out there, and I don't have very much time to ——

Mr. ARENS. Do you get any of this news through the Hungarian Embassy in Washington?

Mr. BATHORY. What is that?

Mr. ARENS. Do you get a little bit of this news you are talking about from the Hungarian Embassy in Washington?

Mr. BATHORY. I use the fifth amendment on that.

Mr. ARENS. What has been your reaction to all of this situation there in Hungary, where the soldiers of Russia march in this country where you were born, and slay the men, women, and children who are fighting for their freedom? What do you think about that?

Mr. BATHORY. Well, sir, I think let those people solve their problem. I am an American citizen, and I am living here, and that is not my problem. I don't know about what they are doing, exactly. It is like I said, let those people solve their own problems.

Mr. ARENS. Are you a member of an organization controlled by the Kremlin that sent those soldiers into Hungary?

Mr. BATHORY. I refuse to answer that, sir, on the fifth amendment.

Mr. ARENS. Who got you your job at the Ohio Steel Works, where you are employed?

Mr. BATHORY. Nobody; I got it myself.

Mr. ARENS. Were you directed to get that job by the Communist Party?

Mr. BATHORY. I got that job by myself. I went down to the chippers and I got the job, because they would need some chippers.

Mr. ARENS. And you had no connection with the Communist Party in conjunction with the procurement of that job, is that right?

Mr. BATHORY. I didn't understand ——

Miss FURRY. Did you understand the question?

Mr. BATHORY. How did you say it?

Mr. ARENS. Did the Communist Party tell you you better go down and get that job?

Mr. BATHORY. I got that job by myself.

Mr. ARENS. While you have been at that job, have you been under the control of the Communists?

Mr. BATHORY. I went down there and I got a job. They hired, I don't know, about 30 or 40 chippers the same day I was hired.

Mr. ARENS. While you have been at that job, have you been under the control of the Communist apparatus in this community?

Mr. BATHORY. I refuse to answer. I would like to correct that question. I don't know exactly what——

Mr. ARENS. You don't know what?

Mr. BATHORY. The question you asked.

Mr. ARENS. You don't know anything about the Communist Party?

Mr. BATHORY. You asked me some question. I would like to clarify it.

Mr. ARENS. You clarify it. The last thing in the world I want to do is to take advantage of you, but I want you to tell us the truth.

Mr. BATHORY. I tell you I refuse to answer on those questions.

Mr. ARENS. The fact is you are one of the recruiting agents for the Communist Party in this community, are you not? If that isn't true, you just say it isn't true, while you are under oath.

Mr. BATHORY. I use the fifth amendment on that, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Do you have one more witness for this morning?

Mr. ARENS. Yes, sir.

Elmer Grandstaff, kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GRANDSTAFF. Yes; I do.

TESTIMONY OF ELMER GRANDSTAFF, ACCOMPANIED BY COUNSEL, PAUL E. STEVENS

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GRANDSTAFF. My name is Elmer Grandstaff. I live at—may I request the committee, please, that the TV camera be put off?

Mr. WILLIS. That is right. That is the rule of the committee.

Mr. ARENS. Now, please identify yourself by name, residence, and occupation.

Mr. GRANDSTAFF. My name is Elmer Grandstaff. I live at 1194 East Third Street, Salem, Ohio.

Mr. ARENS. Would you get closer to the microphone?

Mr. GRANDSTAFF. Yes, sir.

Mr. ARENS. Mr. Grandstaff, you are appearing today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. GRANDSTAFF. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. GRANDSTAFF. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. STEVENS. Attorney Paul E. Stevens, 307 Stambaugh Building, Youngstown, Ohio.

Mr. ARENS. Where and when were you born?

Mr. GRANDSTAFF. January 21, 1921, Youngstown, Ohio.

Mr. ARENS. Give us a word, please, about your education.

Mr. GRANDSTAFF. My education was gone through mostly here in Youngstown. I attended public schools. I graduated from South High School, Youngstown College, and I had 1 year of graduate work at Purdue University.

Mr. ARENS. What was your major?

Mr. GRANDSTAFF. Chemistry.

Mr. ARENS. Then tell us, if you please, the principal employment that you have had since you completed your formal education.

Mr. GRANDSTAFF. I am currently employed at Eljer Co.

Mr. ARENS. No; I don't think you understood. Let's start over again. When did you complete your education at Purdue?

Mr. GRANDSTAFF. In 1953, sir.

Mr. ARENS. And what job did you then procure?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I worked at Niles Firebrick, in Niles, Ohio.

Mr. ARENS. Did you serve in the Army in the interim, as you were working or in the process of procuring your education?

Mr. GRANDSTAFF. No, sir. After high school I was in the Army.

Mr. ARENS. And for what period of time were you in the Army?

Mr. GRANDSTAFF. Do you mean the dates?

Mr. ARENS. Yes, sir, the approximate dates.

Mr. GRANDSTAFF. 1942 until 1946.

Mr. ARENS. Were you commissioned?

Mr. GRANDSTAFF. No, sir.

Mr. ARENS. In what branch of the military were you serving?

Mr. GRANDSTAFF. I was in the infantry, sir.

Mr. ARENS. And how long, then, after you completed your education, did you work at this establishment to which you have just alluded? I believe it was a hardware store. Was it a hardware establishment?

Mr. GRANDSTAFF. I beg your pardon?

Mr. ARENS. Give us, again, please, the name of the establishment at which you became employed after you finished your work at Purdue University.

Mr. GRANDSTAFF. Niles Firebrick.

Mr. ARENS. Did you say hardware?

Mr. GRANDSTAFF. Firebrick.

Mr. ARENS. Where was that located?

Mr. GRANDSTAFF. Niles, Ohio.

Mr. ARENS. How long were you employed there?

Mr. GRANDSTAFF. Approximately 2 years.

Mr. ARENS. In what capacity?

Mr. GRANDSTAFF. Foreman.

Mr. ARENS. Then what was your next employment?

Mr. GRANDSTAFF. At Eljer Co.

Mr. ARENS. In what capacity?

Mr. GRANDSTAFF. As a chemist.

Mr. ARENS. Where?

Mr. GRANDSTAFF. Do you mean the location?

Mr. ARENS. Yes, sir.

Mr. GRANDSTAFF. Salem, Ohio.

Mr. ARENS. And for how long were you employed there?

Mr. GRANDSTAFF. I am currently there.

Mr. ARENS. Do you know of an organization called the United Cultural Association?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I am sorry, sir, but I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. You have been very active in the United Cultural Association in this community in times past, haven't you?

Mr. GRANDSTAFF. I, again, sir, decline to mention on the aforementioned ground.

Mr. ARENS. I want to be sure I have the chronology correct here, where were you engaged in 1949? Where were you working?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. Have you omitted some of your employment?

Mr. GRANDSTAFF. Again, sir, I decline to answer on the aforementioned grounds.

Mr. ARENS. Well, we will back up, then. We will do it the hard way. You began in 1953 with employment at this firebrick company. What was your employment immediately preceding the employment at the firebrick company?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I am sorry, sir, but I again must decline on the aforementioned grounds.

Mr. ARENS. How long were you employed in your employment immediately prior to your employment at the firebrick company?

Mr. GRANDSTAFF. I again, sir, must decline on the aforementioned grounds.

Mr. ARENS. What employment did you have immediately preceding the employment, which is shrouded in this darkness that you can't tell us about?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I decline, sir, to answer that on the aforementioned grounds.

Mr. ARENS. All right. And what employment did you have immediately preceding the two employments preceding the completion of your formal education?

Mr. GRANDSTAFF. I decline again, sir, on the aforementioned grounds.

Mr. ARENS. Did you have any employment from the time you reached adulthood until you concluded your work at Purdue University, concerning which you can tell us without disclosing information that could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. ARENS. In other words, to put it simply, have you had any nonsensitive employment prior to the time that you became engaged at the Firebrick Co.?

Mr. GRANDSTAFF. I believe there are two questions now on the floor, are there not, sir?

Mr. ARENS. Well, they both cover the same subject matter. In other words, to put it just as elementary as I can, have you had any non-Communist employment of any kind prior to the time that you completed your work at Purdue?

Mr. GRANDSTAFF. I decline, sir, on the aforementioned grounds.

Mr. ARENS. While employed at the Firebrick Co., did you engage in any work other than the work for which you were paid?

Mr. GRANDSTAFF. I decline, sir, on the aforementioned grounds.

Mr. ARENS. And at the present time, do you have any work in which you are engaged other than the work at this establishment that you have told us about, the Eljer plant, here in Ohio?

(The witness conferred with his counsel.)

Mr. ARENS. That is the Eljer plant at Salem, Ohio. Let the record show the correct designation.

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. No, sir.

Mr. ARENS. I beg your pardon?

Mr. GRANDSTAFF. No, sir.

Mr. ARENS. Where did you live in Youngstown? Do you remember the address?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. You lived at 344 Willis Avenue in Youngstown for awhile in 1950, didn't you?

Mr. GRANDSTAFF. I decline, sir, to answer on the aforementioned grounds.

Mr. ARENS. And that was the home, or is the home, of Robert and Mildred Hamilton of the underground, isn't that correct?

Mr. GRANDSTAF. I, again, sir, decline to answer on the aforementioned grounds.

Mr. ARENS. Were you a member of local 1331 of the Republic Steel?

(The witness conferred with his counsel.)

Mr. ARENS. That is Local 1331 of the Steelworkers of Republic Steel?

Mr. GRANDSTAFF. I decline, sir, to answer on the aforementioned grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mr. GRANDSTAFF. Mr. Chairman, to the best of my belief and understanding, I believe that I should decline on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly feel, Mr. Witness, that if you told us whether or not you were a member of this local, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. Sir, in view of the question, I honestly believe that I must decline on the grounds of the fifth amendment.

Mr. ARENS. What have you done in the course of the last few years to promote the cause of peace? You have been quite a peace partisan, haven't you? That is a laudable objective. What have you done, now, to promote the cause of peace? Help us on that, would you, please?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I am sorry, sir, but I have to decline on the aforementioned grounds.

Mr. ARENS. In 1949, did you visit Chicago? Do you recall that?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. I would like to have you help us here a little bit, if you please, sir.

Mr. Williams, my associate here, is going to lay before you a reprint of an article appearing in New Times of November 16, 1949. In that article, it tells about the visit to Chicago of A. Lavrenyov, who is a foreign correspondent of New Times, at a National Labor Conference for Peace convention. This article quotes you as one of the orators at this conference of labor leaders for peace. Look at that article and tell us if that is a true and correct presentation of the facts with reference to your participation in this movement to establish peace on earth.

(Document marked "Grandstaff Exhibit No. 1" and filed for information of committee.)

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. The truth is that the National Labor Conference for Peace was a Communist ruse, as were most of the projects of that character under their auspices, isn't that true?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. When were you last in Mexico City? You get around quite a bit, don't you? When were you last in Mexico City?

(The witness conferred with his counsel.)

Mr. GRANDSTAFF. I decline to answer, sir, on the grounds of the fifth amendment.

Mr. ARENS. Did you attend another little rally for peace in 1949 held in Mexico City?

Mr. GRANDSTAFF. I decline to answer, sir, on the same grounds.

Mr. ARENS. I would like to have you explain to this committee how you are going to arrive at this peace by the fighting means that I see you quoted here:

> "Our fight for peace," Grandstaff said, "is above all a fight against our enemies, the big trusts and corporations, against the leaders of the A. F. of L. and the CIO, who are trying to force the American worker to follow the path of Wall Street, and Wall Street is bent on war."

Did you make those statements at this rally for peace in Chicago?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. Who is Roslyn Wunthal?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. Do you know Robert Emerine?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. What has been your career of public service? Have you offered yourself for sacrifice on the altar of public service as a candidate for the Youngstown Board of Education?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were a candidate for the board of education here in Youngstown some few years ago. Are you a member of the IWO?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. Have you ever been at 1440 Thorn Hill Road? Does that register in your mind, 1440 Thorn Hill Road?

Mr. GRANDSTAFF. Again, sir, I decline to answer on the aforementioned grounds.

Mr. ARENS. That is the headquarters of the United Cultural Association, isn't it, for the uplift of the country, community, pursuant to Communist objectives?

Mr. GRANDSTAFF. Is that a question?

Mr. ARENS. Mr. Garfield, would you please stand?

Mr. Grandstaff, please look over your left shoulder at that young man standing there. Do you see him?

Mr. GRANDSTAFF. Yes, sir.

Mr. ARENS. Did you ever see him before?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. That man yesterday took an oath, Mr. Grandstaff, laid his liberty on the line to tell the truth before this committee, and while he was under oath he said that while he was a member of the Communist Party in this area he knew you, Elmer Grandstaff, as a Communist. Was he lying or was he telling the truth?

Mr. GRANDSTAFF. I decline, sir, on the aforementioned grounds.

Mr. ARENS. Are you this moment a member of the Communist conspiracy?

Mr. GRANDSTAFF. I decline to answer, sir, on the aforementioned grounds.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you are now a member and operative of the Communist conspiracy.

Mr. GRANDSTAFF. Is that a question?

Mr. ARENS. Yes, I have asked you to affirm or deny while you are under oath.

Mr. GRANDSTAFF. I decline, sir, on the aforementioned grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness. I should like to request that the documents which have been exhibited to the witness be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. They will be so marked and incorporated. The witness is excused.

We will adjourn for lunch until 2 o'clock.

(Whereupon, at 12:20 p. m., the committee recessed, to reconvene at 2 p. m., the same day.)

(Members present at the taking of the recess: Representatives Willis and Velde.)

AFTERNOON SESSION—TUESDAY, NOVEMBER 27, 1956

(Members present at the reconvening of the afternoon session: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

Counsel will call the next witness.

Mr. ARENS. Mr. Louis Kimmel, please come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KIMMEL. I do.

TESTIMONY OF LOUIS C. KIMMEL

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. KIMMEL. Before I begin, may I state I would like to have the record show that I do not have counsel. I was not notified of this hearing until Wednesday, the day before Thanksgiving, and I don't believe I had proper time to sufficiently prepare for this hearing. However, I am willing to go ahead.

Mr. ARENS. Now, would you kindly identify yourself by name, residence, and occupation?

Mr. KIMMEL. Louis C. Kimmel, St. Louis, Mo. I am a field or special representative for the International Association of Machinists.

Mr. ARENS. You are appearing today, Mr. Kimmel, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. KIMMEL. That is right.

Mr. ARENS. How long have you been employed at your present employment?

Mr. KIMMEL. As a labor representative, I have been employed in that capacity—oh, since 1941.

Mr. ARENS. Mr. Kimmel——

Mr. KIMMEL. For the machinists union, however, just a very brief time.

Mr. ARENS. Mr. Kimmel, are you now, or have you ever been, a member of the Communist Party?

Mr. KIMMEL. Would you break that down, please? You are asking two questions.

Mr. ARENS. Mr. Kimmel, are you now, or have you ever been, a member of the Communist Party?

Mr. WILLIS. He has no counsel. I think I know what he means. I would break it down, Counsel. I would separate the question.

Mr. ARENS. Are you now a Communist?

Mr. KIMMEL. I will say that I am not a member of the Communist Party, and in no way do I advocate, or have I advocated, the violent overthrow of this Government, my Government. However, further than that, I decline under my rights under the fifth amendment.

Mr. ARENS. Mr. Kimmel, have you ever been a member of the Communist Party?

Mr. KIMMEL. I will have to decline to answer that under my rights under the first and fifth amendments.

Mr. ARENS. Did you, about a month ago, have a hearing with the International Association of Machinists, the IAM, at which you were interrogated with respect to Communist activity by yourself? Did that transpire? Did that take place?

Mr. KIMMEL. I will have to invoke my right to the first and fifth amendments.

Mr. ARENS. The fact is that just about a month or so ago the IAM called you up and had a little hearing, but somehow or other they didn't swear you, you weren't under oath. They asked you this question, did they not: "Have you ever been a member of the Communist Party?" And your answer was "No, I have not." And then they asked you this question, did they not, Mr. Kimmel: "Would you be willing to state publicly what you have told us here, and your views in regard to communism and its operation in the United States?" And you answered in the affirmative.

Isn't that correct?

Mr. KIMMEL. I will have to decline to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that in the presence of this witness, Mr. Christensen please be invited to come forward. He is not under subpena, but I understand he is in the hearing room today.

Mr. Christensen?

Mr. Christensen, would you kindly raise your hand and submit yourself to an oath for just a few questions?

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHRISTENSEN. I do.

TESTIMONY OF GEORGE W. CHRISTENSEN

Mr. ARENS. Mr. Christensen, have a seat, if you please.

Mr. Christensen, would you kindly identify yourself by full name, residence, and occupation?

Mr. CHRISTENSEN. My name is George Christensen, of Washington, D. C. I am an attorney for the International Association of Machinists.

Mr. ARENS. And how long have you occupied that position?

Mr. CHRISTENSEN. Approximately 3 years.

Mr. ARENS. Mr. Christensen, in the course of your duties, do you have, as one of your responsibilities, the development of information for submission to the officers of your union respecting people who have been identified as Communists who may be in the union?

Mr. CHRISTENSEN. I have been so assigned.

Mr. ARENS. Would you repeat that?

Mr. CHRISTENSEN. I have been so assigned.

Mr. ARENS. And did you, in the course of the last month or so, have occasion to initiate or to participate in proceedings of the International Association of Machinists, with reference to one Louis Kimmel?

Mr. CHRISTENSEN. I did.

Mr. ARENS. Is he the gentleman who is seated in the principal witness chair today?

Mr. CHRISTENSEN. He is.

Mr. ARENS. Would you tell us now, in your own words, where and when the proceedings took place with reference to Mr. Kimmel?

Mr. CHRISTENSEN. On, I believe it was, October 8 and 10, 1956, at Fort Wayne, Ind.

Mr. ARENS. And did you have charge of the interrogation in those proceedings?

Mr. CHRISTENSEN. Yes; I did.

Mr. ARENS. You were the counsel for the union, is that correct?

Mr. CHRISTENSEN. That is correct.

Mr. ARENS. And did you interrogate Mr. Kimmel?

Mr. CHRISTENSEN. I did.

Mr. ARENS. Was Mr. Kimmel subjected to an oath?

Mr. CHRISTENSEN. No, he was not.

Mr. ARENS. Was there a question-and-answer proceedings?

Mr. CHRISTENSEN. Yes; there was.

Mr. ARENS. Would you, in your own way, tell this committee the essence of the questions and the essence of the answers by Mr. Kimmel before this board of the union which had him up on the question of communism?

Mr. CHRISTENSEN. I asked Mr. Kimmel whether he was, or ever had been, a member of the Communist Party, to which he replied "No." I asked him whether he had ever been associated with or supported what are commonly known as Communist-front organizations, and he said not to his knowledge.

Mr. ARENS. Did you ask him whether or not he would make a public pronouncement or state publicly that he has never been a Communist?

Mr. CHRISTENSEN. I asked him whether he would state publicly what he had stated before the committee and his answer was "Yes."

TESTIMONY OF LOUIS C. KIMMEL—Resumed

Mr. ARENS. Now, Mr. Kimmel, you have just heard the testimony of the counsel for the union of which you are a member, the IAM, the great International Association of Machinists, which we all know in this work is one of the bulwarks of the anti-Communist movement in this country. Was Mr. Christensen lying or was he telling the truth when he recounted the questions and answers respecting this proceeding in which you were a principal participant?

Mr. KIMMEL. Well, that involves quite a number of things, and, frankly, I cannot—I don't feel free to answer that question.

Mr. ARENS. Did you tell this board just about a month ago, "No, I have never been a Communist"? Did you tell them that?

Mr. KIMMEL. As I said before, it involves a lot of things.

Mr. ARENS. Go ahead. We have plenty of time. Tell us what it involves, and you just tell this committee now whether or not you told the board that you had never been a Communist.

Mr. KIMMEL. I believe that this may lead to many other questions, which I believe my rights under the Constitution would be endangered by, and, therefore, I think I have to invoke the first and fifth amendments, and decline to answer, sir.

Mr. WILLIS. Let me suggest to you, Mr. Kimmel, as I understand the situation, and I haven't talked to counsel about this, about this hearing or the nature of the hearing, but as I understand the situation your statement before the board was not under oath. So much as I can tell from the law, there would be no question of perjury involved.

Now is the opportunity for you to speak frankly before this committee. If you made an error the other time, why don't you come clean?

Mr. KIMMEL. This is a most unusual procedure, I believe, before this committee, and, frankly, I just don't know my rights or what I may be getting into, in going into that field of questions.

Mr. ARENS. Mr. Kimmel, were you a member of the Communist Party at the time you had this proceeding with the labor organization with which you are identified?

Mr. KIMMEL. Again, that, in legal terms, may be opening the door to further questions, and I believe I will have to invoke the first and fifth amendments.

Mr. ARENS. Mr. Kimmel, a man came before this committee just this last summer, on June 4, 1956, or thereabouts, that is the approximate date, and his name is William Cortor. Mr. Cortor took an oath before this committee and said that back in 1938 he knew you as a member of the Young Communist League, that in the late 1930's or early 1940's, he served with you in the Communist Party fraction meetings. He stated further that in October of 1952 you were the chairman of one of the committees of the Communist-controlled Save our Sons convention, which was held in Springfield, Ill. Was Mr. Cortor lying or was he telling the truth?

Mr. KIMMEL. Again, you are asking several questions in one, and again I will have to invoke the fifth amendment and the first.

Mr. ARENS. Do you honestly feel, Mr. Kimmel, that if you told this committee truthfully whether or not Cortor was reciting the correct facts, you would be supplying information that might be used against you in a criminal proceeding?

Mr. KIMMEL. It is my understanding that using the first and fifth amendments does not necessarily imply guilt, and I again will have to invoke my privilege.

Mr. ARENS. Just answer that question. Do you feel that if you gave us a truthful answer to that last principal question, you would be giving information that could be used aaginst you in a criminal proceeding?

Mr. KIMMEL. Well, in addition to what I have said, I believe I will have to use the first and fifth amendments.

Mr. ARENS. Mr. Kimmel, do you know a man by the name of Joe Schoemehl?

Mr. KIMMEL. I invoke the first and fifth amendments.

Mr. ARENS. Mr. Schoemehl testified before this committee, after he had taken an oath, and he identified you as a person known by him to be a Communist. Was Mr. Schoemehl lying or was Mr. Schoemehl telling the truth?

Mr. KIMMEL. Again I will have to use the first and fifth——

Mr. ARENS. Let me read you this testimony.

Mr. KIMMEL. I am not acquainted with his testimony.

Mr. ARENS. I beg your pardon?

Mr. KIMMEL. I am not acquainted with the testimony.

Mr. ARENS. Let me read you the testimony. It is now public testimony. Perhaps it will refresh your recollection. We hope that it will prompt you to be a little bit fuller in your response.

Question to Mr. Schoemehl:

> Did you have occasion to meet Mr. Louis Kimmel, K-i-m-m-e-l, as a member of the Communist Party?
>
> Mr. SCHOEMEHL. I did.
>
> Question. When was that?
>
> Answer. During that period from 1945 on.

Question. Did you meet in closed Communist Party meetings with Mr. Kimmel?
Answer. I did.
Question. What was his business or occupation?
Answer. Sir?
Question. What was his business or occupation?
Answer. I don't know. He was always with Bill Sentner. One of those convicted in the trial in 1954.

Does that ring a bell? Does that refresh your recollection?

Mr. KIMMEL. Mr. Sentner was president of district 8 of the International——pardon me, sir——The United Electrical, Radio & Machine Workers Union of America, and I was an organizer working for that union, and, of course, I did, in that capacity, know Mr. Sentner.

Mr. ARENS. And did you know Mr. Schoemehl, the man who, in this testimony under oath, identified you as a person known by him to be a Communist?

Mr. KIMMEL. Again I am in doubt of my rights, so I will have to invoke the first and fifth amendment, sir.

Mr. ARENS. Do you think there is something rather strange or inconsistent that you would, in a proceeding before the International Association of Machinists, in which you are not sworn and can't be subjected to the pains and penalties of perjury, deny that you have ever been a Communist, and then seem a little hesitant to discuss that subject matter when you are under oath before this committee? Is there any inconsistency that occurs to you on that score Mr. Kimmel?

Mr. KIMMEL. Not to me, but that is a matter of opinion. I don't care to go into it.

Mr. ARENS. Now I would like to direct your attention to a few exhibits, if you please. Here is a document, the IUE–CIO News, of May 22, 1950. We have marked that document "Kimmel Exhibit No. 1." In this document, they are identifying a number of people who have been named as Communists. It is public property. It is a public document. And it includes Louis C. Kimmel, K-i-m-m-e-l. Please look at that document, and tell us whether that was, at the time of its publication, giving an accurate account of the facts.

(Document marked "Kimmel Exhibit No. 1" and filed for information of committee.)

Mr. KIMMEL. I have never seen that particular document before. However, I have seen many leaflets issued by the IUE for purposes of winning elections, trying to take over membership from the UE.

Mr. ARENS. It is something that you think was false, is that correct?

Mr. KIMMEL. I think it was propaganda material.

Mr. ARENS. Was this false propaganda listing you as a Communist, under date of 1950, May 1950? Was that just something that they did, just one of these smear techniques? Or was it true?

Mr. KIMMEL. Well, you have asked a whole flock of questions there.

Mr. ARENS. Let's just forget all the other questions for the moment. Was it true, as reported in this document, exhibit No. 1, that you were, in May 1950, a Communist? That is a very simple question. Just answer that.

Mr. KIMMEL. Well, again, I agree with what you said at first, that it was part of a smear campaign. However, because of the legal problems involved, I must invoke the first and fifth amendments.

Mr. ARENS. Did you live in St. Louis, Mo., any time in 1950?

Mr. KIMMEL. I am not sure of the exact dates, sir. I moved from St. Louis to Meta, Mo., sometime in that period.

Mr. ARENS. And while you were in St. Louis, were you a peace partisan?

Mr. KIMMEL. I will have to decline to answer that.

Mr. ARENS. Were you head of the St. Louis Committee for Peace?

Mr. KIMMEL. I will have to decline to answer that question.

Mr. ARENS. I want to lay before you a photostatic copy of a letter that you sent to the St. Louis Post-Dispatch, Letters From the People, about peace, a peace petition. That was back in 1950 [July 16, 1950], and it is signed Lou Kimmel, chairman, St. Louis Committee for Peace.

Mr. Williams, will you kindly lay that before the witness and see if that might refresh his recollection a little bit? Maybe he will remember that, and maybe not.

Does that refresh your recollection, Mr. Kimmel?

(Document marked "Kimmel Exhibit No. 2" and filed for information of committee.)

Mr. KIMMEL. Well, as far as being for peace, I have always been for peace, sir. In fact, as far as the Korean war is concerned, I believe President Eisenhower, part of his platform, was——

Mr. ARENS. You say you have always been for peace. Tell us what you have done for peace. That is a very commendable objective, peace.

Mr. KIMMEL. I served in the Second World War to protect this country. I think that was in the interest of peace.

Mr. ARENS. What have you done in the last few years in the interest of peace? Tell us what you have done about that. In World War II, we were fighting in a war. Tell us what you have done for peace in the last few years, just peace as such, that you say you are advocating so vigorously.

Mr. KIMMEL. I don't claim to be advocating so vigorously.

Mr. ARENS. What have you done? You have told us you are for peace. What have you done for peace? Have you joined any organizations, taking a place of leadership in any organizations, dedicated to peace?

Mr. KIMMEL. Practically my entire work has been in the labor movement, organizing and representing labor, and it is a matter of public record, my life.

Mr. ARENS. Well, yes. But tell us what you have done in addition to that for peace. That is what we want to know at this point, what you have done for peace. With what organizations dedicated to peace have you been connected?

Mr. KIMMEL. Again I will have to decline to answer that question.

Mr. ARENS. The truth is, you were chairman of this organization which is surreptitiously controlled by the Communist conspiracy and is no more for peace than is the Kremlin, isn't that so?

Mr. KIMMEL. I will have to invoke the first and fifth amendments.

Mr. ARENS. Have you also been, in your pursuit of peace, identified with an organization known as Save Our Sons [Committee] which was very active during the Korean war? Save Our Sons [Committee], do you remember that organization?

Mr. KIMMEL. I will have to invoke the first and fifth amendments.

Mr. ARENS. You were one of the leaders in that organization, Save Our Sons [Committee], during the Korean war, in which they tried to dupe the mothers of this country to bring pressure to bear upon the Congress and upon the Government to pull our troops out of Korea, isn't that correct?

Mr. KIMMEL. I will have to invoke the first and fifth amendments.

Mr. ARENS. In addition to your partisanship for peace, you have also been active in some other public affairs, haven't you, Mr. Kimmel? Tell us about some of the other organizations with which you have been connected.

Mr. KIMMEL. For instance, what organization?

Mr. ARENS. Well, what have you done, what organizations have you hooked up with, and what activities have you engaged in, to expose stool pigeons? Have you been active in that pursuit, trying to expose and condemn stool pigeons? Do you have any recollection of that?

Mr. KIMMEL. I will have to invoke the first and fifth.

Mr. ARENS. Well, I want to lay before you now a document which is a reproduction of an article in the Communist Daily Worker of June 7, 1949 (p. 3). This article is headed "Protests Pour In on Medina for Jailing 3." The lead of the article is—

> Protests continue to pour in to Judge Harold R. Medina against the jailing of John Gates, editor in chief of the Daily Worker, and the revocation of the bail of Henry Winston, national organizational secretary of the Communist Party, and Gus Hall, Ohio State chairman of the Communist Party.

Among those doing all of this protesting, according to this article, is a man by the name of Louis Kimmel, who is quoted as saying "Your demand that John Gates turn stool pigeon as a condition for remaining out of jail, endangers every member of organized labor."

Does that refresh your recollection, with respect to your activities in that regard?

Mr. KIMMEL. It doesn't refresh my recollection at all.

Mr. ARENS. Look at this. It might help you. Let Mr. Williams lay it before you. I am sure or, at least I would have to qualify that by saying, I would hope that after you see it, it might refresh your recollection.

(Document marked "Kimmel Exhibit No. 3" and filed for information of committee.)

Mr. KIMMEL. To the best of my recollection, I have never seen that article before. However, to the specific question I will have to refrain from answering.

Mr. ARENS. Let's forget about the specific article. All I want to know is, not whether you have seen that article of the Communist Daily Worker, but whether or not the facts as recited in that article are true.

Mr. KIMMEL. What facts?

Mr. ARENS. The facts respecting your protest of the jailing of these Communist traitors and of the statements attributed to yourself condemning stool pigeons.

Mr. KIMMEL. Well, sir, again I am not sure of my rights and I will have to invoke the first and fifth amendments.

Mr. ARENS. Are you a member of the Civil Rights Congress?

Mr. KIMMEL. I will have to invoke the first and fifth amendments.

Mr. ARENS. You were one of the orators of the Civil Rights Congress back in St. Louis, were you not?

Do you recall orating on behalf of the Civil Rights Congress, addressing sessions, particularly one on July 24, 1950, in St. Louis?

Mr. KIMMEL. I will have to invoke the first and the fifth.

Mr. ARENS. Give us a word about your education, please, Mr. Kimmel.

Mr. KIMMEL. I finished high school, Normandy High School in St. Louis County. I had three years of agricultural school under the GI bill of rights. I had a brief period of training as an aircraft mechanic in the Missouri National Guard.

Mr. ARENS. Were you a member of the Missouri National Guard?

Mr. KIMMEL. For a brief period.

Mr. ARENS. During what period of time were you a member of the Missouri National Guard?

Mr. KIMMEL. 1939 and 1940, I believe it was.

Mr. ARENS. I beg your pardon?

Mr. KIMMEL. 1939 and 1940, I believe it was.

Mr. ARENS. Are you at the present time under Communist Party discipline?

Mr. KIMMEL. I think I have answered that question. Anyway, I will have to decline to answer it.

Mr. ARENS. Did you resign from technical membership in the Communist Party at any time, so that you could sign a Taft-Hartley affidavit?

Mr. KIMMEL. I will have to decline to answer that question.

Mr. ARENS. Have you ever signed a Taft-Hartley non-Communist affidavit?

Mr. KIMMEL. I will have to decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question, as to whether or not he has signed a Taft-Hartley non-Communist affidavit.

Mr. WILLIS. You are directed to answer that question.

Mr. KIMMEL. I am a bit confused. I think the committee knows that. It is a matter of record whether I have or have not, but it may lead into other questions which I don't feel—which I feel may endanger my rights under the Constitution.

Mr. ARENS. Now let's just clear one thing. You had this little session with IAM, about a month or so ago?

Mr. KIMMEL. I have answered that question, sir. I decline to answer it.

Mr. ARENS. We have shown here on this record that at that time you weren't under oath, and you at least by coincidence denied Communist Party affiliations. When you are released from your oath now, before this committee, and the pains and penalties of perjury, do you expect to go back to IAM officials, and say, "Of course, I want to reassert the same statement I made a month ago, that I am not a Communist, but I wasn't going to tell that witch-hunting, stool-pigeon crowd, the Un-American Activities Committee, that I wasn't a Communist"? Do you expect to do that?

Mr. KIMMEL. That is not exactly a specific question, sir. It is a matter of opinion and of conjecture.

Mr. ARENS. We just wanted the record to be clear, so that if this issue comes up, you will have had your opportunity, while you are under oath, to deny Communist affiliation, Communist conspiratorial activities, so that you don't try to fool anybody by statements made without being subject to the pains and penalties of perjury.

Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. Did I understand you to say that you were a member of the UEW?

Mr. KIMMEL. Yes; the United Electrical, Radio, and Machine Workers.

Mr. VELDE. Were you an officer of that organization?

Mr. KIMMEL. Yes; at various times an officer and staff representative.

Mr. VELDE. At what time were you an officer of that?

Mr. KIMMEL. Well, it is a question of definition, sir.

Mr. VELDE. Under the terms of the non-Communist affidavit.

Mr. KIMMEL. Before the affidavit.

Mr. VELDE. And you haven't been an officer of that union since the Taft-Hartley Act?

Mr. KIMMEL. Not as defined by the Taft-Hartley Act, sir.

Mr. WILLIS. The witness is excused.

Mr. CHRISTENSEN. Did you have any further questions of me, Mr. Arens?

Mr. ARENS. No, thank you.

Mr. Sak Levin, kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. LEVIN. I do.

TESTIMONY OF SAK LEVIN, ACCOMPANIED BY COUNSEL, C. R. MILLER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. LEVIN. Sak Levin, 3358 East 145th Street, Cleveland, Ohio. Occupation, driver of a truck.

Mr. ARENS. You are appearing today, Mr. Levin, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. LEVIN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. LEVIN. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself?

Mr. MILLER. C. R. Miller, Cleveland, Ohio.

Mr. ARENS. Mr. Levin, where and when were you born?

(The witness conferred with his counsel.)

Mr. LEVIN. Born May 13, 1910, in New Castle, Pa.

Mr. ARENS. Give us, if you please, sir, a brief sketch of your educational background.

Mr. LEVIN. A graduate of high school and 1 year of college.

Mr. ARENS. And where did you go to college?

Mr. LEVIN. The University of Pittsburgh.

Mr. ARENS. And when did you complete that year of training?

Mr. LEVIN. 1929.

Mr. ARENS. Now tell us, sir, the principal employment you have had since you completed your formal education.

(The witness conferred with counsel.)

Mr. LEVIN. I wish to decline on the grounds of the first and fifth amendments of the Constitution.

Mr. ARENS. What employment have you had immediately prior to your present employment?

(The witness confers with his counsel.)

Mr. LEVIN. Again, I will invoke the privileges of the first and fifth amendments of our Federal Constitution.

Mr. ARENS. Is there any employment which you have had since you terminated your formal education until the present day, concerning which you can tell us, without giving information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. LEVIN. Again, I will decline for the same reasons.

Mr. ARENS. Did you live in Youngstown at any time?

(The witness conferred with his counsel.)

Mr. LEVIN. Again, I will have to decline on the basis——

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he has ever lived in Youngstown, Ohio.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. LEVIN. Again, I will have to decline.

Mr. ARENS. Give us the name of the establishment where you are presently employed.

Mr. LEVIN. The Hy-Decker Catering Co.

Mr. ARENS. And the address of that establishment?

Mr. LEVIN. 13510 Miles Avenue, Cleveland, Ohio.

Mr. ARENS. For the purpose of identification, your wife's name, please.

(The witness conferred with his counsel.)

Mr. LEVIN. I will decline on the grounds of the first and fifth amendments.

Mr. ARENS. This establishment where you are presently employed is an industrial caterer, not a caterer of food; is that correct?

Mr. LEVIN. Well, I don't ——

Mr. ARENS. What do you distribute? What do you sell?

(The witness conferred with his counsel.)

Mr. LEVIN. Again, I will have to invoke the privilege of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the last principal question, as to what is distributed or sold in this establishment in which he is employed.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. LEVIN. Sir, does the question imply that I should tell you what I sell?

Mr. ARENS. What is made? What is sold in the establishment? What is the establishment, hardware, groceries——

Mr. LEVIN. Food.

Mr. ARENS. What do you do there?

Mr. LEVIN. I sell.

Mr. ARENS. Mr. Levin, as a witness, you are entitled to certain witness fees; and I am going to ask Mr. Williams, my associate here,

to lay before you a voucher for your signature so that you may be paid, but I want to tell you frankly, so there will be no misapprehension as to what my purpose is here, I want your signature on that voucher so that it may be incorporated in this record by reference so that we may compare your signature with signatures on other documents.

Please lay that before him, Mr. Williams, so that he may sign the voucher, pursuant to which he may be paid his witness fees.

(The witness conferred with his counsel.)

Mr. LEVIN. Again, I am invoking the first and fifth amendments.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest that that blank piece of paper, where there is a place for signature, have affixed to it in the upper righthand corner, a little designation, we will say an "X," and that if, as, and when Mr. Levin decides while he is not under oath, to sign this document to procure his pay as a witness and transportation fees, that that part of the document bearing his signature be incorporated by reference in this record.

Mr. WILLIS. The document will be so incorporated.

Mr. MILLER. May I take exception for the witness to that ruling?

Mr. ARENS. Counsel's sole prerogative is to advise the witness on his constitutional rights.

Now we lay before you a signature card of a Youngstown, Ohio, bank, the Union National Bank, signed by Sak Levin and Pearl K. Levin, 280 East Federal Street, dated December 7, 1949. That is an original document. Please look at it and tell us whether you will be good enough to verify the authenticity of your signature there.

(The witness conferred with his counsel.)

(Document marked "Levin Exhibit No. 1" follows:)

LEVIN EXHIBIT 1

LEVIN, SAK or PEARL K.

To the Union National Bank, Youngstown, Ohio

You are hereby authorized to honor checks drawn by either of us against the checking account standing in our names. In the event of the death of either of us, the balance remaining to the credit of said account shall belong and be payable to the survivor, and may on the request of the survivor, be transferred to his or her sole account.

All items deposited by us are to be credited subject to final payment.

SIGNATURE Sak Levin

SIGNATURE Pearl K. Levin

SIGNATURE

ADDRESS 280 E. Federal St.

ACCOUNT OPENED BY DATE

2M-4-48 (3292) (OVER)

Mr. LEVIN. Sir, I will have to decline on the same grounds.

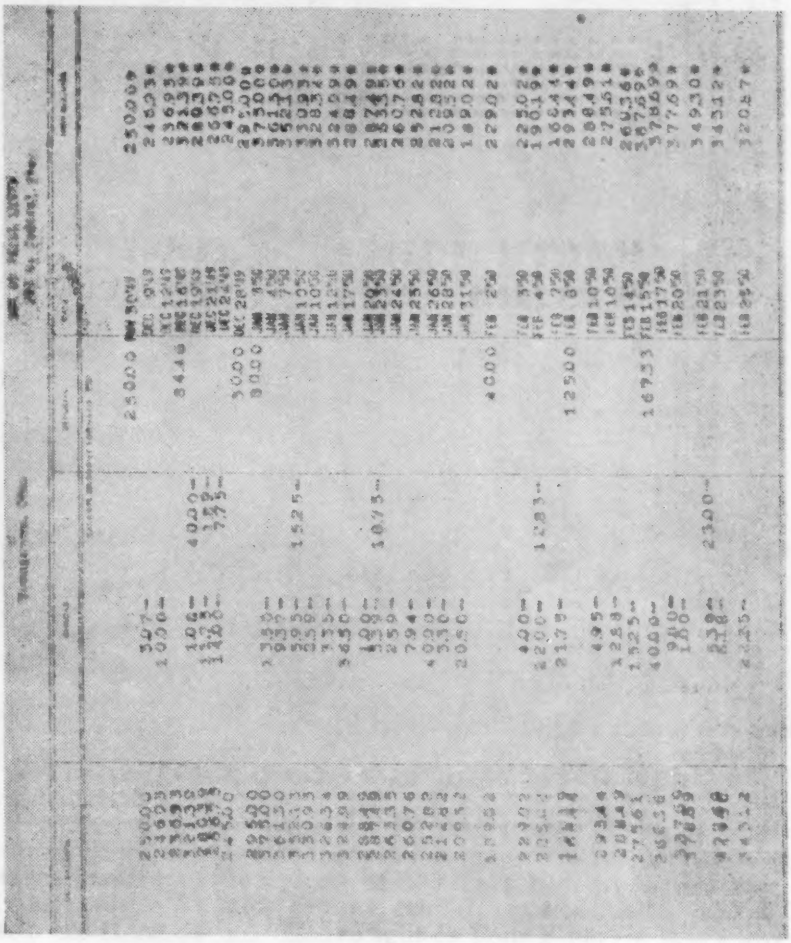
Mr. ARENS. Now we want to lay before you some deposit ledger sheets of the bank, showing deposits of Sak Levin and Pearl Levin for the year 1950 here in Youngstown, Ohio. Please look at those deposit sheets, the ledger sheets, and see if you won't be good enough to help this committee by verifying the authenticity of them.

(The witness conferred with his counsel.)

LEVIN EXHIBIT 2

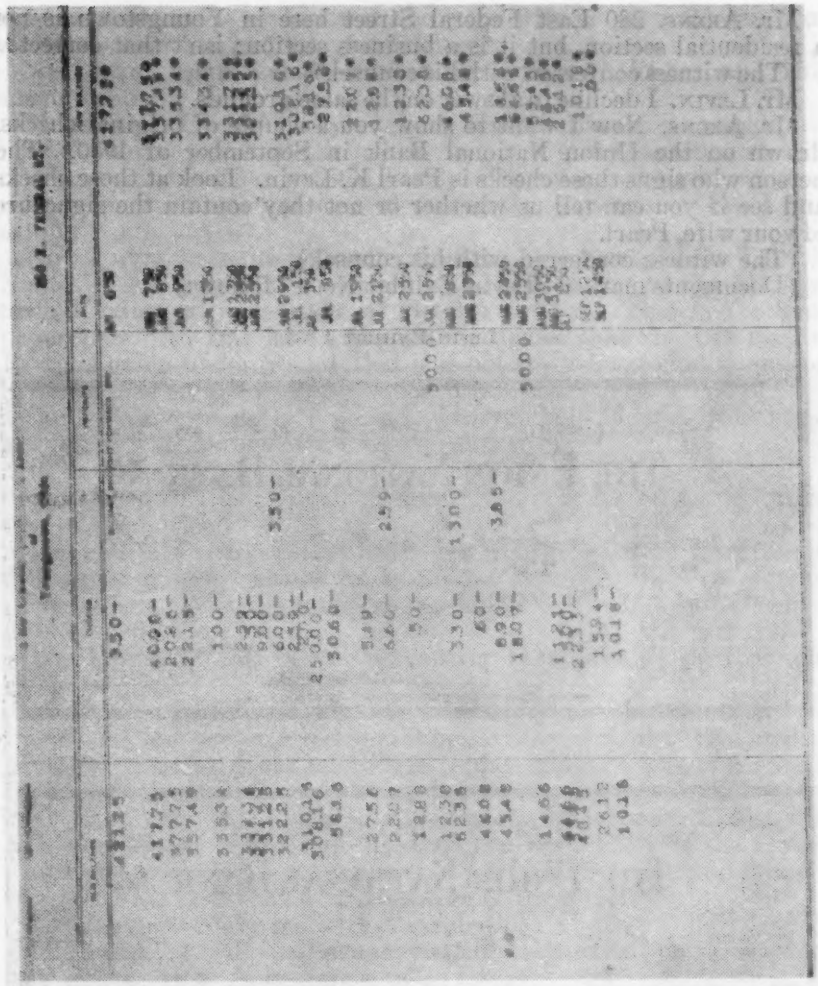
(Document marked "Levin Exhibit No. 2" follows:)

LEVIN EXHIBIT 2



The [illegible] National Bank of [illegible], Ohio

32067	1133-	890-		FEB 27 58	30064*
30064			17500	MAR 4 58	47564*
47564	1225-	3500-		MAR 7 58	42839*
42839			5000	MAR 8 58	47839*
47839	259-			MAR 9 58	47580*
47580	156-	4000-		MAR 11 58	43424*
43424	1000-			MAR 11 58	42424*
42424	5000-			MAR 19 58	37424*
37424	1286-			MAR 16 58	36130*
36132	1200-			MAR 17 58	34936*
34936			4000	MAR 22 58	38938*
38938			3750	MAR 22 58	42688*
42688	412- 1000-	490-		MAR 25 58	40786*
40786	2500-	1556-		MAR 26 58	36730*
36720	050-			MAR 30 58	36680*
36680	495-		10250	APR 3 58	46435*
46435	1000-	259-		APR 4 58	45176*
45176	1900-			APR 13 58	43276*
43276	[illegible]			APR 19 58	43198*
43198	3900-			APR 20 58	41928*
41998	1652-			APR 22 58	40346*
40346	259- 1331-	564-		APR 27 58	38192*
38192	757-			MAY 3 58	37435*
37435			8000	MAY 4 58	45435*
45435	1400-			MAY 11 58	44035*
44035	1050-			MAY 12 58	42985*
42985	3000-			MAY 17 58	39985*
39985	50-			MAY 18 58	39935*
39935	890-			MAY 24 58	39045*
39015	4000-	4000-		MAY 25 58	31045*
31045	920-			MAY 29 58	30125*
			12000	JUN 1 58	42125*



Mr. LEVIN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Before I proceed further, I want to see if you can help us on another matter here. These deposit sheets and these signature cards give an address of 280 East Federal Street, here in Youngstown. We have here an exhibit, entitled "All-Out Aid To Help the Miners Win! Their Fight Is Your Fight!" It is a leaflet, by its face at the bottom, issued by the Communist Party of Youngstown, Ohio, 280 East Federal Street, Youngstown. Look at that leaflet and tell us if that leaflet was prepared in your residence in Youngstown, Ohio, back in 1950. Maybe you can help the committee serve your Government.

(The witness conferred with his counsel.)

(Document marked "Levin Exhibit No. 3" and filed for information of committee.)

Mr. LEVIN. I decline to answer on the same grounds.

Mr. ARENS. 280 East Federal Street here in Youngstown is not a residential section, but it is a business section; isn't that correct?

(The witness conferred with his counsel.)

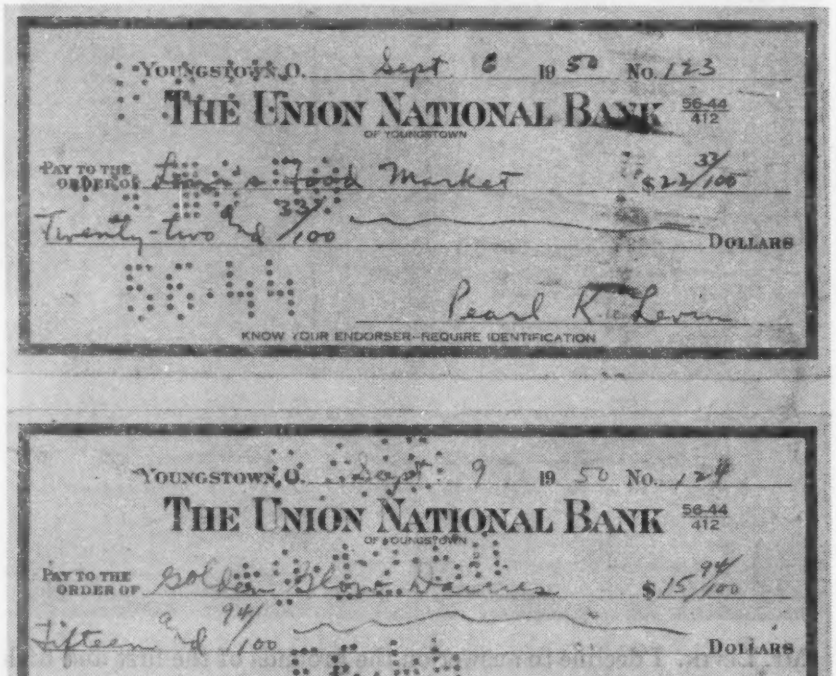
Mr. LEVIN. I decline to answer on the same grounds.

Mr. ARENS. Now I want to show you a couple of original checks, drawn on the Union National Bank in September of 1950. The person who signs these checks is Pearl K. Levin. Look at those checks and see if you can tell us whether or not they contain the signature of your wife, Pearl.

(The witness conferred with his counsel.)

(Documents marked "Levin Exhibit No. 4" follow:)

LEVIN EXHIBIT 4


YOUNGSTOWN, O. Sept 8 19 50 No. 123
THE UNION NATIONAL BANK OF YOUNGSTOWN 56-44 412
PAY TO THE ORDER OF Lynn's Food Market $22 33/100
Twenty-two and 33/100 DOLLARS
Pearl K. Levin
KNOW YOUR ENDORSER—REQUIRE IDENTIFICATION

YOUNGSTOWN, O. Sept 9 19 50 No. 124
THE UNION NATIONAL BANK OF YOUNGSTOWN 56-44 412
PAY TO THE ORDER OF Golden Glow Dairies $15 94/100
Fifteen and 94/100 DOLLARS
Pearl K. Levin
KNOW YOUR ENDORSER—REQUIRE IDENTIFICATION

Mr. LEVIN. I decline to answer on the same grounds.

Mr. ARENS. Have you been active here in the United Cultural Association for the uplift of the culture of the community by Communist standards?

(The witness conferred with his counsel.)

Mr. LEVIN. I decline to answer on the same grounds.

Mr. ARENS. Have you ever been over on Thorn Hill Road, to the headquarters of the United Cultural Association?

Mr. LEVIN. I decline to answer on the same grounds.

Mr. ARENS. In this account represented in these ledger sheets showing these many deposits in 1950, aggregating a sizable amount, were

these deposits made by yourself and your wife as personal funds or were those Communist Party funds?

Mr. LEVIN. Again I shall invoke the privilege of the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that these exhibits be made a part of the public record of this committee so that they be available when printed to any of the comrades who want to see the financial machinations of one of the comrades. (See Levin exhibit No. 2, p. 6003.)

Now I want to invite your attention to a document, Levin Exhibit No. 5. It is a copy of a letter sent by one Sak Levin to the Youngstown Vindicator, under date of October 5, 1950. That is the local paper here. In this letter, the author denies that the Communist Party is going underground, that it is not an underground operation but that it is an open and aboveboard political party, a fine organization. Can you help us on that? Can you help identify that letter and tell us whether or not you are the author of it?

(The witness conferred with his counsel.)

(Document marked "Levin Exhibit No. 5" and filed for information of committee.)

Mr. LEVIN. I shall decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a young fellow by the name of Garfield, David Garfield?

Mr. LEVIN. I shall decline to answer that question on the same grounds.

Mr. ARENS. Unfortunately, he is not with us at the moment in the courtroom, but perhaps you would be satisfied if I just recounted to you on this record what he said yesterday while he was under oath. He said that, while he was a member of the Communist Party, he knew you as one of the comrades, that you were a former Communist Party organizer in Akron, Ohio, that you were active in the United Cultural Association here in Youngstown. Was Mr. Garfield lying or was he telling the truth when he swore to these facts?

(The witness conferred with his counsel.)

Mr. LEVIN. I shall decline to answer those questions on the grounds of the first and fifth amendments.

Mr. ARENS. In this letter of October 5, 1950, that you wrote to the local paper here, Sak Levin is identified as chairman of the Communist Party of Youngstown; isn't that correct?

Mr. LEVIN. I shall have to decline on the same grounds.

Mr. ARENS. Did you tell the Youngstown Vindicator and the people here in this letter that the Communist Party has not gone underground, its leaders remain in public activity in Youngstown and continue to function, with the full conviction that the war mongers will not succeed in using their present attacks against the party as a smokescreen behind which to stifle the struggle of the American people for peace, and the betterment of their living, and the like? Did you write all of that to the Youngstown Vindicator?

Mr. LEVIN. Again I shall have to invoke the privileges of the first and fifth amendments.

Mr. ARENS. This letter here is dated just about the time the Congress passed the Internal Security Act. It passed the Internal

Security Act, in September 1950, and this letter, I see, is dated October 4, 1950. Was the passage of the Internal Security Act in any way responsible for your interest in expressing your position to the people of Youngstown, via the press?

(The witness conferred with his counsel.)

Mr. LEVIN. Again I shall have to invoke the privilege of the first and fifth amendments.

Mr. ARENS. Do you know a man by the name of John DeLong?

Mr. LEVIN. Again I shall have to decline to answer.

Mr. ARENS. Was he one of your comrades in the Timken bearing plant? Did you ever work for the Timken bearing plant?

(The witness conferred with his counsel.)

Mr. LEVIN. I shall have to invoke the privilege of the first and fifth amendments.

Mr. ARENS. Are you at the present time a member of the Communist Party underground of Ohio?

Mr. LEVIN. I shall have to invoke the privilege of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. MILLER. Thank you, Mr. Chairman.

Mr. WILLIS. The committee will be in recess for 5 minutes.

(Brief recess.)

(Present at the taking of the recess: Representatives Willis and Velde.)

(Present after the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

Counsel will call his next witness.

Mr. ARENS. Roslyn Emerine Simms, please come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SIMMS. I do.

TESTIMONY OF MRS. ROSLYN EMERINE SIMMS, ACCOMPANIED BY COUNSEL, WALTER T. COOPER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. SIMMS. My name is Roslyn Simms. I decline to answer the other questions, invoking my rights under the fifth amendment.

Mr. ARENS. Well, let's take it one by one. You were at one time Roslyn Emerine, is that correct?

(The witness conferred with her counsel.)

Mrs. SIMMS. I decline to answer that under my rights under the fifth amendment.

Mr. ARENS. What was your maiden name?

Mrs. SIMMS. I decline to answer that. I invoke my rights under the fifth amendment.

Mr. ARENS. You are appearing here today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mrs. SIMMS. I am.

Mr. ARENS. Are you represented by counsel?

Mrs. SIMMS. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. COOPER. Walter T. Cooper, 317 Terminal Building, Youngstown, Ohio.

Mr. ARENS. Where were you born?

(The witness conferred with her counsel.)

Mrs. SIMMS. I decline to answer that. I invoke my rights under the fifth amendment.

Mr. ARENS. Were you born in the United States or were you born outside the United States?

(The witness conferred with her counsel.)

Mrs. SIMMS. I decline to answer that. I invoke my rights under the fifth amendment.

Mr. ARENS. Now, ma'am, tell this committee how the answer to that question could possibly give any information that could be used against you in a criminal proceeding.

(The witness conferred with her counsel.)

Mrs. SIMMS. I am going to use my rights under the fifth amendment to decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to where she was born.

Mr. WILLIS. You are directed to anwer that question.

Mrs. SIMMS. I feel that I am going to invoke my rights under the fifth amendment and refuse to answer that question.

Mr. ARENS. And where did you go to school?

Mrs. SIMMS. I will answer that question the same as the others. I invoke my rights under the fifth amendment and refuse to answer the question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question.

Mrs. SIMMS. I am going to invoke my rights under the fifth amendment and refuse to answer the question.

Mr. ARENS. Would you tell us in passing how you spell your first name? There has been some confusion here on the spelling of your first name, Mrs. Simms.

(The witness conferred with her counsel.)

Mr. ARENS. How do you spell Roslyn? How do you spell your first name?

(The witness conferred with her counsel.)

Mrs. SIMMS. I will invoke my right under the fifth amendment and refuse to answer.

Mr. ARENS. In what State do you live at the present time?

Mrs. SIMMS. I am invoking my right under the fifth amendment, and I will refuse to answer.

Mr. ARENS. I wanted the record to be perfectly clear on this. We are just asking you in what State you live.

Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer that question.

Mrs. SIMMS. I am invoking my right under the fifth amendment, and I refuse to answer that question.

Mr. ARENS. How long have you lived in the State in which you presently reside?

Mrs. SIMMS. I will answer this question the same as the other, invoking my right under the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. Let me say to you that the reason counsel is asking me to order you to answer the question is this: Under the Supreme Court decision, in order to follow the American practice of fair play, and not to entrap or catch anybody by surprise, we are required to warn you, though you have your own lawyer, of the consequences of your refusal to answer, and to bring it home to you by ordering you to do it. From then on, you are on your own and cannot plead surprise. So, under these circumstances, and I will not repeat them, I again direct you to answer the question.

(The witness conferred with her counsel.)

Mrs. SIMMS. I will decline to answer that question on the grounds of my rights under the fifth amendment.

Mr. ARENS. I want you to pay particular attention to this question, ma'am. I am in dead earnest. Do you honestly feel that if you told this committee the truth, while you are under oath, as to the State in which you live, you would be supplying information which might, in some way, be used against you in a criminal proceeding?

Mrs. SIMMS. It is my understanding that the use of the fifth amendment does not presume innocence or guilt. I will decline to answer that question under my rights under the fifth amendment.

Mr. WILLIS. Let me tell you in connection with your repeated statement of your rights under the fifth amendment, the rights of any person under the fifth amendment are circumscribed, and that is that a person cannot be compelled to be a witness against himself, or to give testimony or to answer questions, when that person feels that to speak and to answer truthfully might incriminate or might subject that person to criminal prosecution or to criminal proceedings. A person has no right to simply stand mute before a grand jury or before a court of justice or before a congressional committee. If that were so, then any criminal trial could be stifled and brought to a complete halt. A person could simply say, "I don't want to testify. I plead my rights under the fifth amendment."

I suppose you have counsel there, and you understand your rights.

(The witness conferred with her counsel.)

Mr. ARENS. Now, Mr. Chairman, in view of the abundant clarity of this record on this issue, I respectfully suggest that the Chair, here and now, order and direct this witness to answer the question which I have posed previously: namely, does she honestly fear that if she tells this committee while she is under oath the State in which she lives, she would be supplying information which might be used against her in a criminal proceeding? I respectfully suggest, Mr. Chairman, that the witness now be ordered and directed to answer that question.

(The witness conferred with her counsel.)

Mr. WILLIS. You are so ordered and directed. That question is intended to test, and is testing, whether you are invoking your alleged rights in good faith or whether you are simply being capricious. So you are ordered to answer the question.

Mrs. SIMMS. I am invoking my rights in good faith under the fifth amendment, and I will not answer the question.

Mr. WILLIS. You can only be in good faith under the provisions of the fifth amendment if you believe, in good faith and honestly, that to supply the answer would subject you to proceedings under criminal statutes.

Do you feel, when you say you are in good faith, or do you mean by that, that you honestly believe that to answer these questions would give information against you that might be used against you in a criminal case? If that is what you mean, you have a perfect right to invoke the privileges of our great Constitution. But if you just say, "I do it in good faith," without being honestly in good faith, that to answer would subject you to criminal prosecution, then your statement is, in my opinion, meaningless in law. However, you have your counsel. I said a while ago I would not admonish you any more, and I shall not.

Mr. ARENS. What is you husband's name?

(The witness conferred with her counsel.)

Mrs. SIMMS. I will decline to answer that under my rights under the fifth amendment.

Mr. ARENS. And what is your employment? I am a little vague as to whether you even gave a hint of it a few moments ago.

Mrs. SIMMS. I will decline to answer that on the grounds that I have used before, the fifth amendment.

Mr. ARENS. Mr. Williams is going to lay before you a document which we have marked as an exhibit, which contains the proceedings of the Second National Convention of the American Youth for Democracy in New York City, in 1946, listing the council members of that organization, including one Roslyn Emerine. The spelling here is R-o-s-l-y-n, Roslyn Emerine. Please look at that and tell us if you are the person alluded to as Roslyn Emerine under that date.

(The witness conferred with her counsel.)

(Document marked "Simms Exhibit No. 1" and filed for information of committee.)

Mrs. SIMMS. I will decline to answer that on the same grounds as I have used before, the fifth amendment.

Mr. ARENS. Now I have another exhibit from the Labor Youth League, signed "Roslyn Emerine, executive secretary." Please look at that exhibit and see if you can help the committee by identifying that person as yourself who was in Youngstown, Ohio, as executive secretary of the Labor Youth League.

(The witness conferred with her counsel.)

(Document marked "Simms Exhibit No. 2" and filed for information of committee.)

Mrs. SIMMS. I will decline to answer that question under the fifth amendment.

Mr. ARENS. Did you ever live in New York City?

Mrs. SIMMS. I will decline to answer that question, using the fifth amendment.

Mr. ARENS. Now I invite your attention to a document of the First National Convention of the Labor Youth League [November 23–26, 1950, New York City], listing the delegates and officers of that organization, including "Rosaline Emerine."

Please look at that document and tell us whether or not you are she.

(The witness conferred with her counsel.)

(Document marked "Simms Exhibit No. 3" and filed for information of committee.)

Mrs. SIMMS. I will decline to answer that question, using the same grounds as before, the fifth amendment.

Mr. ARENS. Are you identified with this United Cultural Association here in Youngstown, or have you been identified with it?

(The witness conferred with her counsel.)

Mrs. SIMMS. I will decline to answer that question, using the fifth amendment.

Mr. ARENS. You and your husband were one of the principal instigators of that organization; isn't that correct?

Mrs. SIMMS. I will decline to answer that question.

Mr. ARENS. Who is Pauline Taylor?

Mrs. SIMMS. I will decline to answer that question, using my rights under the fifth amendment.

Mr. ARENS. This United Cultural Association, headquartered over here in Youngstown at 1440 Thorn Hill Road, is one of the principal Communist operations in this area; is it not?

Mrs. SIMMS. I will decline to answer that question, using my rights under the fifth amendment.

Mr. ARENS. Did you know that, in February 1949, they had a Lenin memorial meeting there, in which comrades from all around participated, including yourself?

Mrs. SIMMS. I will decline to answer that question, using my rights under the fifth amendment.

Mr. ARENS. You headed a school out there at this United Cultural Association; did you not?

Mrs. SIMMS. I will decline to answer that question, using the fifth amendment.

Mr. ARENS. You were one of the faculty members out there; were you not?

(The witness conferred with her counsel.)

Mrs. SIMMS. I will plead the fifth amendment.

Mr. ARENS. Was your maiden name Wunthal?

Mrs. SIMMS. I decline to answer that, and I will plead the fifth amendment.

Mr. ARENS. You weren't quite so bashful in your presentation out there in 1949 to the class when you were the principal organizer and director of the Communist school which was held there at the United Cultural Association; were you?

Mrs. SIMMS. I will decline to answer that, and I will plead the fifth amendment.

Mr. ARENS. What is the Thorn Hill Fraternity Center? Can you tell us about that?

Mrs. SIMMS. I will decline to answer, and I will plead the fifth amendment.

Mr. ARENS. How about the Freedom Theater Players? Do you know about them?

Mrs. SIMMS. I will decline to answer; and I will use the fifth amendment.

Mr. ARENS. Do you own a car? Do you own an automobile?

Mrs. SIMMS. I will decline to answer that, and I will use the fifth amendment.

Mr. ARENS. Do you have a good memory for figures, for numbers?

Mrs. SIMMS. I will decline to answer, and I will use the fifth amendment.

Mr. ARENS. By ways which are perfectly legitimate but not necessary to discuss at the moment, the committee has access to a Communist Party membership No. 36727, of the N. Jamaica Branch of the Communist Party. Does that number register with you?

Mrs. SIMMS. I will decline to answer. I plead the fifth amendment.

Mr. ARENS. Do you know a young gentleman, by the name of David Garfield?

Mrs. SIMMS. I decline to answer. I plead the fifth amendment.

Mr. ARENS. Mr. Garfield yesterday took an oath before this committee and said that while he was a member of the Communist Party, he knew you as a Communist. Was he lying or was he telling the truth?

Mrs. SIMMS. I decline to answer. I plead the fifth amendment.

Mr. ARENS. What do they mean by colonizers? I am not talking about the Pilgrims. I mean, do you have any other way you can tell us what the term colonizer means?

Mrs. SIMMS. I decline to answer. I plead the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you and your husband, Robert, were sent here from the East, from New Jersey, to take a leadership part in the colonization of this industrial area for the Communist conspiracy.

Mrs. SIMMS. I decline to answer. I plead the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. VELDE. As I understand it, Witness, you have answered no question apparently on the subject of this investigation except as to your name, and you would not even spell your first name for us. Is that true?

(The witness conferred with her counsel.)

Mrs. SIMMS. That is true.

Mr. VELDE. Mr. Chairman, this witness certainly is in contempt of this committee and in contempt of the Congress. Certainly I, for one, will move, when we have an executive session, that she be so cited.

I have just one more question. Do you feel contempt in your heart for this committee?

Mrs. SIMMS. I plead the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the exhibits which we have alluded to in the presentation of this witness' testimony be appropriately marked and incorporated in the record by reference.

Mr. WILLIS. They will be so marked and incorporated in the record.

The witness is excused.

Mr. ARENS. Now, if you please, Mr. Chairman, the next witness is Mr. Blumenthal, Ben Blumenthal.

Kindly come forward.

Please remain standing, Mr. Blumenthal.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLUMENTHAL. I do.

TESTIMONY OF BEN BLUMENTHAL, ACCOMPANIED BY COUNSEL, R. G. MOCK

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. BLUMENTHAL. My name is Ben Blumenthal. I reside at R. D. 1, Vienna. My occupation is employment in furniture business.

Mr. ARENS. And what is the nature of the furniture business?

Mr. BLUMENTHAL. Retail furniture business.

Mr. ARENS. What is your employment in the furniture business?

Mr. BLUMENTHAL. Secretary-treasurer of the corporation.

Mr. ARENS. And the name of the establishment?

Mr. BLUMENTHAL. Robbins Furniture Co., Niles, Ohio.

Mr. ARENS. You are appearing today, Mr. Blumenthal, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. MOCK. R. G. Mock, 1003 Mahoning Bank Building, Youngstown.

Mr. ARENS. Where were you born, Mr. Blumenthal?

Mr. BLUMENTHAL. I was born in Lithuania.

Mr. ARENS. When?

Mr. BLUMENTHAL. October 10, 1903.

Mr. ARENS. When did you come to the United States?

Mr. BLUMENTHAL. In the year of 1921.

Mr. ARENS. Have you since become naturalized?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. When and where, please, sir?

Mr. BLUMENTHAL. In Youngstown, Ohio. In Mahoning County Courthouse, in Youngstown.

Mr. ARENS. Give us a word, please, about your education.

Mr. BLUMENTHAL. My education consisted of rather piecemeal education, due to the interruption of World War I, and I have gone to religious school and for about a year to a higher religious school prior to coming to the United States. After I arrived here, I joined the YMCA classes, in naturalization for English, and took up several subjects, as time allowed me, because I was working evenings, and also took up automobile work in the YWCA school at that time.

Mr. ARENS. And then, sir, in the chronology of your life, what was your first employment after you had completed your formal education?

Mr. BLUMENTHAL. I became employed at the Robbins Furniture Co.

Mr. ARENS. How long——

Mr. BLUMENTHAL. Since 1921.

Mr. ARENS. How far do you live away from Youngstown?

Mr. BLUMENTHAL. It is near Vienna.

Mr. ARENS. How far? How many miles is it? I am not acquainted with the geography in this area.

Mr. BLUMENTHAL. It is about 8 or 10 miles.

Mr. ARENS. What little cultural groups are you identified with here in the Youngstown area, Mr. Blumenthal?

Mr. BLUMENTHAL. Lately I have not been identified with any cultural groups, sir, for a period of at least 5 or 6 years.

Mr. ARENS. And with what group were you identified?

Mr. BLUMENTHAL. As a member of the International Workers Order, Jewish branch. All the branches, to the best of my knowledge, purchased a cultural hall where everybody was supposed to meet instead of meeting in individual halls; and an attorney, Hartwell, organized a corporation at that time to purchase that old house or old house on Thorn Hill Road, at which time I believe I purchased shares of some sort at that time.

Mr. ARENS. And how long were you active in the United Cultural Association?

Mr. BLUMENTHAL. For the past 5 or 6 years I haven't been there, sir.

Mr. ARENS. How long were you active?

Mr. BLUMENTHAL. I don't remember when it was organized at this point.

Mr. ARENS. It was organized in 1947, was it not?

Mr. BLUMENTHAL. 1947? Well, in the cultural association I wasn't active at all, to amount to anything, because my work was in the Jewish branch of the International Workers Order.

Mr. ARENS. How long were you in the Jewish branch of the International Workers Order?

Mr. BLUMENTHAL. I presume since about 1938, or 1937. I don't have the details.

Mr. ARENS. And about how long were you? You began in 1937 or 1938, you said.

Mr. BLUMENTHAL. We dissolved our branch, I think, early or late 1950.

Mr. ARENS. Were you in the International Workers Order, active in it, after 1947?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I think I was still active at that time in the Jewish branch of the International Workers Order.

Mr. ARENS. Did you know that in 1947 the International Workers Order was cited as subversive and Communist by the then Attorney General of the United States? Did you know that, at the time you were in it?

Mr. BLUMENTHAL. I think so. I hoped it would eventually be shown that it was otherwise.

Mr. ARENS. But you were aware then that it had been cited as a subversive Communist-controlled organization, is that correct?

Mr. BLUMENTHAL. I would say it was listed on the Attorney General's list.

Mr. ARENS. Who was president of the United Cultural Association while you were identified with that organization?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I don't remember who was president, but I know I have held office of one or another in the Jewish branch at that time.

Mr. ARENS. What office did you hold in the United Cultural Association?

Mr. BLUMENTHAL. I don't believe I held any office there.

Mr. ARENS. Do you recall any of the officers of the United Cultural Association?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I do not remember any names of officers, because my connection was strictly with the purchase of the shares, and we never met in there as the Jewish branch. We used to meet elsewhere.

Mr. ARENS. Did you know Spiridon Comanita, who is presently the president of the Cultural Association?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I have known of him as a member of the International Workers Order, of some language branch, but I don't know what he was at that time, sir.

Mr. ARENS. Do you know Theodore Panchak, vice-president of the Cultural Association?

(The witness conferred with his counsel.)

Mr. ARENS. At least, he is a one-time vice-president.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I don't know, sir, what he was. If I would see him, possibly——

Mr. ARENS. Do you know he was identified with the United Cultural Association?

Mr. BLUMENTHAL. I don't know, sir.

Mr. ARENS. Pauline Taylor, do you know her?

Mr. BLUMENTHAL. Yes; I have known Mrs. Taylor.

Mr. ARENS. And did you know of her activity with the United Cultural Association?

Mr. BLUMENTHAL. I think there was a Negro branch in the organization.

Mr. ARENS. Am I clear in my impression, from what you say, Mr. Blumenthal, that the United Cultural Association was set up by the old IWO, the International Workers Order, when the IWO was about to discontinue its overt activities?

Mr. BLUMENTHAL. Well, at that time I didn't know about dissolution or anything. I know the whole idea was to provide a home for the different branches to meet.

Mr. ARENS. A home for the different branches of the IWO?

Mr. BLUMENTHAL. Right.

Mr. ARENS. And how many different branches of the IWO were to be housed in the United Cultural Association? By "home," you mean a meeting place, do you not?

Mr. BLUMENTHAL. I think there were about 11 different language branches.

Mr. ARENS. Mr. Blumenthal, so that the record is clear, by "home," you don't mean home in the sense of an old people's home, or something of that sort, but you mean an office or headquarters, don't you?

Mr. BLUMENTHAL. No, a place where you could meet or have picnics. That is what I understood.

Mr. ARENS. Yes. No one lived there as such, did they? It was a clubhouse, in other words, was it not?

Mr. BLUMENTHAL. Yes, sir; I think so.

Mr. ARENS. How many different groups were under the auspices or merged to participate in this United Cultural Association?

Mr. BLUMENTHAL. Sir, I believe you have that all on record. There were many language branches, of which the Jewish branch was one.

Mr. ARENS. And those are all branches that were affiliates of the International Workers Order, is that correct?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. Did Mary Turner have something to do with the United Cultural Association, do you recall?

Mr. BLUMENTHAL. Not that I recall in any particular way.

Mr. ARENS. Did George Prislipsky have anything to do with it?

Mr. BLUMENTHAL. As an officer?

Mr. ARENS. Yes, sir, or a trustee.

Mr. BLUMENTHAL. I don't remember.

Mr. ARENS. You were a trustee yourself for a while, were you not?

Mr. BLUMENTHAL. I don't remember. My activity there was very, very little.

Mr. ARENS. Did Andy Bathory participate in the United Cultural Association?

Mr. BLUMENTHAL. I don't remember.

Mr. ARENS. Eli Nadrich?

Mr. BLUMENTHAL. I think Eli Nadrich was a member of one of the branches of the International Workers Order.

Mr. ARENS. And what was the aggregate membership of the constituent organizations which merged to use this United Cultural Association?

Mr. BLUMENTHAL. I wouldn't have that definite information, sir.

Mr. ARENS. Was it several hundred?

Mr. BLUMENTHAL. I presume to say, yes.

Mr. ARENS. Was David Garfield identified with the United Cultural Association?

Mr. BLUMENTHAL. I do not remember or know him as a member of it. He didn't belong to our branch.

Mr. ARENS. I beg your pardon?

Mr. BLUMENTHAL. He did not belong to our Jewish branch.

Mr. ARENS. What branch did he belong to, do you know?

Mr. BLUMENTHAL. I couldn't tell you, sir.

Mr. ARENS. Do you know David Garfield?

Mr. BLUMENTHAL. I know him by reputation, sir.

Mr. ARENS. Have you been in meetings with him?

Mr. BLUMENTHAL. Not that I can remember, sir. I may have seen him at the home someplace. There were many picnics, where there was a lot of people on Sundays.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. BLUMENTHAL. I am not a member of the Communist Party now, sir.

Mr. ARENS. Have you ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Would you repeat the question, sir?

Mr. ARENS. Have you ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Due to the fact that this answer to the question may incriminate me, sir, I would respectfully like to use the fifth amendment and not answer the question.

Mr. ARENS. Mr. Blumenthal, were you a member of the Communist Party—this is 1956—were you a member of the Communist Party a year ago, in November 1955?

Mr. BLUMENTHAL. No, sir.

Mr. ARENS. Were you a member of the Communist Party 2 years ago, November 1954?

Mr. BLUMENTHAL. Sir, I have disassociated myself with all connections of any of such work for 5 or 6 years.

Mr. ARENS. Well, let's move it back, then, so we can be sure here by this indirect route at least, of what the situation is. Were you a member of the Communist Party in November of 1950?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, to the best of my memory, I do not think I was a member of the party in 1950, sir.

Mr. ARENS. Were you a member of the Communist Party in November of 1949?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I respectfully decline to answer this question under my rights of the fifth amendment, sir.

Mr. ARENS. Mr. Blumenthal, did you resign from the Communist Party any time during the year 1949?

Mr. BLUMENTHAL. I just simply disassociated myself, sir, from all activity and from all meetings of any of them.

Mr. ARENS. I want to commend you for your frankness, Mr. Blumenthal.

Mr. Blumenthal, wouldn't you feel pretty good today, if you could walk out of here after having said, "Yes; I was a Communist, but I broke with the party; that I felt I made a mistake, and that I am now going to serve a congressional committee, my Government, by telling them the facts"? You and I have never seen each other before, have we, Mr. Blumenthal?

Mr. BLUMENTHAL. No. sir.

Mr. ARENS. We have never talked together before, have we?

Mr. BLUMENTHAL. Not that I remember.

Mr. ARENS. We have never corresponded, have we?

Mr. BLUMENTHAL. No.

Mr. ARENS. Why don't you do this: Why don't you right now tell this committee about any activities in which you may have been engaged in the past, and clear your soul, and leave here feeling good, that you have served your country. I will assure you, as a representative of the staff of this committee, that if you do that, and if you tell this staff of the people who have served in the party in this area, and tell us what you know about the apparatus up until the time you broke out, I assure you you will walk out of here feeling good, and you will have the commendation of this committee.

(The witness conferred with his counsel.)

Mr. WILLIS. I do not think that was really a question. I would like to supplement it, Mr. Blumenthal. To the extent that you have testified, I, too, commend you. To the extent that you answered the questions, I got the impression that you wanted to be frank and truthful. We passed a law rather recently, inspired by this committee, which provides that if a witness will cooperate with the committee and answer truthfully all questions material to the jurisdiction of this committee, and important, we think, to the maintenance and preservation and perpetuation of the institutions that we hold dear here, that we have the power to recommend complete immunity from prosecution. You have properly invoked the fifth amendment, because you frankly said, and I commend you for it, that you did not want

to answer 2 or 3 questions because you feared that it might incriminate you. That is the way to invoke it. You had good advice on everything.

I do not want to ask you to decide this right now. I think you could talk to your lawyer, and we will not pursue the questions this evening. But I will make the suggestion that, after thinking it over, you let us know before we leave your fair city, as to whether, if we instituted proceedings under the law, with the guaranty of this committee of Congress that helped to pass it, that we mean business, that we are not trying to trick you, that we simply want information that we think you have, whether or not you would agree to speak frankly and answer all questions. I would like you to think about it.

Mr. MOCK. May I be permitted to ask a question of either the chairman or the counsel?

Mr. WILLIS. I think so.

Mr. MOCK. If you would rephrase your question and cover a period, say, from 1945, I think he would be willing to testify. Or 1946.

Mr. WILLIS. Counsel, you are a lawyer and so am I. I certainly have never seen you before today, and our conversation is perfectly frank and open. I think it indicates that we never planned on what happened here. If it is a question of phrasing under the law, perhaps it might be a good idea to confer with you and let our counsel talk to you about the modus operandi, but I doubt if we could limit it.

Mr. ARENS. May I just suggest the possibility of a test, Mr. Chairman, if I could ask him this question: Were you a member of the Communist Party in 1945?

(The witness conferred with his counsel.)

Mr. ARENS. I think that is what the counsel was driving at.

Mr. BLUMENTHAL. Is the question referring to the——

(The witness conferred with his counsel.)

Mr. WILLIS. Would you prefer to discuss this with your counsel?

Mr. BLUMENTHAL. I am trying to clear in my mind the question, sir.

(The witness conferred with his counsel.)

Mr. ARENS. Counsel, I thought I asked the question you wanted us to ask.

Mr. MOCK. I think so. I think that is it.

Mr. WILLIS. That is what I understood.

Mr. BLUMENTHAL. Well, sir, my whole belonging, in a so-called way, to the Communist Party, was a very loose association.

Mr. ARENS. I didn't hear you. I didn't get that.

Mr. BLUMENTHAL. My belonging——

Mr. WILLIS. Let me say this, because we certainly are talking very frankly and aboveboard with no idea of taking advantage of anyone. Do you understand that statement I made about granting immunity? We cannot give you that right now. The committee has to act on it, the full committee, and then, as a matter of fact, a Federal judge has to sign our request. So I do not want you to say anything right now while immunity has not been granted. I want to be perfectly fair about that.

Mr. MOCK. I understand that. But we are willing to answer counsel's question at this time.

Mr. WILLIS. All right.

Mr. ARENS. Your observation you just made was after an extended consultation with your lawyer; is that correct? You know what you

are doing, in other words. We do not want to entrap you, Mr. Blumenthal, at all.

Now, will you just kindly proceed?

Mr. BLUMENTHAL. My work consisted mostly, sir, in the Jewish activity field all through the period, without any realization that there was any rulings or decisions by any party as to my work. I have been very active in the Jewish work, in the fight against the spreading of anti-Semitism, in the fight of winning World War II, and that is the extent of my work sir. It could be interpreted "a running along" and "adjacent to" or "going along," but I never felt that my work was Communist work. As a Jew, I was very much interested in winning the war, and I have conducted a very large public meeting in Youngstown, which was participated in by many different churches of different denominations, and I felt that was good Jewish work, as a citizen.

Mr. ARENS. We have to be specific at this point, though, so that this record is clear. In addition to this work that you have been describing here, which from your own viewpoint must have been very commendable work, humanitarian work, did you, in addition to that, and aside from that, actually join the Communist Party? I want the record to be crystal clear that we are not going to confuse these two issues.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Now, what was the question, again, sir?

Mr. ARENS. Did you, in addition to your participation in the Jewish beneficent organizations, charitable organizations, and the other work of that kind that you talked about, did you, in addition to all of that, join the Communist Party?

Mr. BLUMENTHAL. I think I was a member of the Communist Party, sir.

Mr. ARENS. We appreciate your frankness.

Mr. BLUMENTHAL. And with the understanding that there was no knowledge, at any time of my belonging, that there was any attempt to try to force the overthrow of the Government by force or violence or any other means.

Mr. ARENS. Don't you feel better, now, after having that off your mind? I can assure you, as one who has been in this work for many years, that you have nothing to fear.

Now, go ahead and tell us of your associations in the Communist Party, or of any of the activities that you are aware of that might be of interest in your service to the Government.

Mr. BLUMENTHAL. Well, sir, my work, as I said before, consisted mostly of the type of work that is closest to my heart, and that is social work.

Mr. ARENS. Over what period of time were you actually in the Communist Party?

Mr. BLUMENTHAL. Do you mean "since when"?

Mr. ARENS. When did you first become identified with the Communist Party as a Communist?

Mr. BLUMENTHAL. I think it would be about sometime in 1930.

Mr. ARENS. All right, sir. Do you recall a particular meeting in which you actually were enlisted in the party?

Mr. BLUMENTHAL. I do not recall, sir, because at that time the whole situation was very hazy. There were many organizations doing

similar work, such as unemployment help to the unemployed, the broadening of the idea that people should not lose their homes during the depression, which finally was granted when President Roosevelt was elected, and to my great satisfaction, and many people belonged to the Communist Party or the Labor Defense Organization——

Mr. ARENS. The International Labor Defense?

Mr. BLUMENTHAL. I think so.

Mr. ARENS. That was a Communist-controlled organization.

Mr. BLUMENTHAL. I didn't have any knowledge of it at that time, sir; but many people, who, if you asked them, may have belonged to an unemployment league, and they would say "Well, I am a member of the Communist Party," because, actually, they belonged to an unemployment league.

Mr. ARENS. Let us be certain now. Did you at any time—you said you did become a Communist—did you at any time serve in closed party meetings of the Communist Party where only comrades were admitted?

Mr. BLUMENTHAL. To my knowledge, the activities of the party at that time were so closely associated with social work and the social improvement that I didn't feel anything had anything to do with any hidden work whatsoever.

Mr. ARENS. Who was your superior in the Communist Party?

Mr. BLUMENTHAL. I don't remember, sir. He was so far back.

Mr. ARENS. How long were you in the party? When was it that you disassociated yourself from the party? You said you went into it in the 1930's.

Mr. BLUMENTHAL. Actually, when I moved out of Youngstown and I made a complete break.

Mr. ARENS. About when was that?

Mr. BLUMENTHAL. That was sometime in 1950.

Mr. ARENS. Then for about 20 years you feel that you were in the party, is that correct?

Mr. BLUMENTHAL. It could be interpreted one way or another.

Mr. ARENS. I don't want to misinterpret it.

Mr. BLUMENTHAL. Let's put it this way. My activity was entirely voluntary. I never took discipline or was told what to do. If I felt a certain field was good, that it had social value to do it, I did it.

Mr. ARENS. Did you pay dues to the Communist Party?

Mr. BLUMENTHAL. I think I did at that time, a long time ago, sir.

Mr. ARENS. And did you have at any time a Communist Party card?

Mr. BLUMENTHAL. I don't remember that, sir.

Mr. ARENS. Did you know, or have you ever had identified to you, as a Communist any of these people who have appeared here before the committee in the last couple of days while we have been in Youngstown?

Mr. BLUMENTHAL. Would you repeat the question, again, sir?

Mr. ARENS. Did you know as Communists any of these people who have appeared before this committee in the last couple of days here in Youngstown?

Mr. BLUMENTHAL. Do you mean at the time when I belonged?

Mr. ARENS. Yes.

Mr. BLUMENTHAL. Not that I could say, sir. That goes so far back.

Mr. ARENS. 1950 is only 6 years back.

Mr. BLUMENTHAL. You asked me about at the time I joined.

Mr. ARENS. Did you know as a Communist this Spiridon Comanita?

Mr. BLUMENTHAL. Sir, I never met with Spiridon in a so-called group. If he ever belonged——

Mr. ARENS. By group, do you mean a closed party meeting?

Mr. BLUMENTHAL. Yes.

Mr. ARENS. When was the last time you were in a closed party meeting? Was that in 1950? Were you in any closed party meetings?

Mr. BLUMENTHAL. I don't know how closed it would be, sir.

Mr. ARENS. I beg your pardon?

Mr. BLUMENTHAL. Pardon me.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. The question is whether I have attended closed party meetings?

Mr. ARENS. Yes. When was the last time you attended a closed party meeting?

Mr. BLUMENTHAL. I don't remember attending any particular closed party meeting, sir.

Mr. ARENS. Were you in the professional branch of the Communist Party?

Mr. BLUMENTHAL. That is what it says in the paper, sir.

Mr. ARENS. Were you?

Mr. BLUMENTHAL. I don't remember having such a title to the branch, and during the year——

Mr. ARENS. What paper said that? The local paper?

Mr. BLUMENTHAL. Yes; I think so. As I stated before, my activity consisted mostly of Jewish work, so I had nothing to do with any organization activities such as organizing mills or factories or anything of that sort.

Mr. ARENS. Well, have any of the comrades been in touch with you since you disassociated yourself from Communist activity?

Mr. BLUMENTHAL. I have not participated in anything, sir.

Mr. ARENS. No; I say have any of the comrades contacted you to try to reenlist you in this work?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Would you repeat the question again, sir?

Mr. ARENS. Did any of the comrades contact you, get in touch with you, to try to reenlist you in this Communist work after you broke off?

Mr. BLUMENTHAL. Well, frankly, since I have disassociated myself from the party, I wouldn't know any more who was an active comrade, an inactive comrade, or a comrade. I have not discussed it with anyone further, and didn't care to discuss it.

Mr. ARENS. Have any of your old associates contacted you? You had some associates in this work, didn't you?

Mr. BLUMENTHAL. I had some people visit our home.

Mr. ARENS. And who visited your home?

Mr. BLUMENTHAL. I would like to make a statement at this point, sir, that I am willing to admit that whatever I have done, and take the consequences, but I do not find it in my heart the right to point out other people, bcause I don't think I can help the committee any since all the information they have they already have.

Mr. ARENS. Have any of the comrades contacted you since you have been subpenaed, Mr. Blumenthal?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I have been contacted, sir.

Mr. ARENS. I beg your pardon?

Mr. BLUMENTHAL. I have been contacted.

Mr. ARENS. Since you were subpenaed?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. Mr. Blumenthal, and your counsel, I want to suggest that Mr. Blumenthal confer with his counsel. We have another witness that we wanted to take here today. I don't know how much time we will take. We will be in touch with you before we leave town, Mr. Blumenthal. You will remain under your subpena. Perhaps in the interest of the work of the committee, in the interest of obtaining the facts on a dispassionate basis, it would be best to proceed in executive session. We will consider that later.

I would respectfully suggest, therefore, Mr. Chairman, in view of the course of this particular testimony, that Mr. Blumenthal be presently excused from the witness stand, with the request that he have himself available. He will be continued under subpena for further testimony at a later time.

Mr. WILLIS. Which might be executive, to be determined later?

Mr. ARENS. Yes, sir.

Mr. WILLIS. Thank you so much, Mr. Blumenthal.

Mr. ARENS. Mr. Blumenthal, I just want to make this one suggestion to you, and it is only a suggestion. That is, I would suggest that you talk with Mr. Weil, of our staff, with reference to your availability; where we could reach you, perhaps by phone, or where you could be contacted, either later on today or tomorrow, if you will please do that.

Mr. BLUMENTHAL. All right.

Mr. WILLIS. The committee will take a 5-minute recess.

(Brief recess.)

(Present at the taking of the recess: Representatives Willis and Velde.)

(Present after the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will be in order.

Counsel will call the next witness.

Mr. ARENS. Pauline Taylor, please come forward.

Will you kindly remain standing while the chairman administers the oath to you?

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TAYLOR. I do.

TESTIMONY OF PAULINE TAYLOR, ACCOMPANIED BY COUNSEL, WALTER T. COOPER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. TAYLOR. Pauline Taylor, 313 Chicago Avenue, Youngstown, Ohio, housewife.

Mr. ARENS. I didn't get your occupation.

Mrs. TAYLOR. Housewife.

Mr. ARENS. You are appearing here today in response to a subpena which was served upon you by the House Committee on Un-American Activities?

Mrs. TAYLOR. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. TAYLOR. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. COOPER. I am Walter T. Cooper, 317 Terminal Building, Youngstown, Ohio.

Mr. ARENS. Where were you born?

Mrs. TAYLOR. In America.

Mr. ARENS. In what State, please?

Mrs. TAYLOR. The State of Alabama.

Mr. ARENS. How long have you lived in Youngstown?

Mrs. TAYLOR. Since 1925. I mean in the county.

Mr. ARENS. Have you just been a housewife all the time?

Mrs. TAYLOR. Yes.

Mr. ARENS. Have you ever engaged, since you moved to Youngstown, in any work for which you have received pay? Any regular employment is what I am trying to ask you about.

Mrs. TAYLOR. No regular employment; no, sir.

Mr. ARENS. Give us just a word about any irregular employment you may have had; part-time employment, we will say.

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I did some daywork when the children were in high school.

Mr. ARENS. I couldn't understand you.

Mrs. TAYLOR. I say I did some daywork when the children were in high school.

Mr. ARENS. But other than that, you have not engaged in any gainful employment; is that correct?

Mrs. TAYLOR. No; I have not been.

Mr. ARENS. Mrs. Taylor, are you a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Do you want to repeat the question?

Mr. ARENS. I said are you a member of the Communist Party?

Mrs. TAYLOR. I am not, Mr. Chairman.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mrs. TAYLOR. I have never, Mr. Chairman.

Mr. ARENS. Have you ever been knowingly under Communist Party discipline?

Mrs. TAYLOR. I don't know what you mean by the question.

Mr. ARENS. Have you ever taken orders from the Communist Party?

Mrs. TAYLOR. I have not.

Mr. ARENS. Have you been a member of the United Cultural Association?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, will you answer a question?

Mr. ARENS. Well, ask the question, please.

Mrs. TAYLOR. Is the United Cultural Association listed as a subversive organization?

Mr. ARENS. It has not been officially designated as a subversive organization by the Attorney General. His designations are generally of organizations that operate over a broad area. I would say to you in all fairness that, in the course of the proceedings of this com-

mittee here, there have been identified the principal officers of this organization as Communists. Now, could you tell us of any identification you have had with the United Cultural Association?

Mrs. TAYLOR. You just answered a question saying that the people identified with the Cultural Association were Communists? Was that what you said?

Mr. ARENS. The principal officers; yes, ma'am.

Mrs. TAYLOR. Well, I can't tell you that, because I don't know that.

Mr. ARENS. You misconstrued the conversation of a moment ago.

Mrs. TAYLOR. I am sorry.

Mr. ARENS. Let's start over. Have you ever been connected with the United Cultural Association?

Mrs. TAYLOR. I asked you the question if it was on the subversive list.

Mr. ARENS. No, it is not.

Mrs. TAYLOR. It is not on the subversive list?

Mr. ARENS. That is right, is it not?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, would being a member of the United Cultural Association be a violation of the Smith Act?

Mr. ARENS. Not in and of itself, no, ma'am.

Mrs. TAYLOR. Mr. Chairman, I am a member of the United Cultural Association.

Mr. ARENS. How long have you been a member of the United Cultural Association?

Mrs. TAYLOR. I believe since their organization was incorporated.

Mr. ARENS. And have you held any officer posts in the United Cultural Association?

Mrs. TAYLOR. Mr. Chairman, recording secretary.

Mr. ARENS. Of the entire organization?

Mrs. TAYLOR. Of the United Cultural Association.

Mr. ARENS. Tell us, what is the aggregate membership of the United Cultural Association?

Mrs. TAYLOR. I am not able to tell you because I do not know. I do not keep the records of the membership.

Mr. ARENS. What do you keep records of?

Mrs. TAYLOR. Only the proceedings of the minutes of the trustees.

Mr. ARENS. And do you know who are the trustees?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I will decline, under the protection of the fifth amendment, to name the trustees of the organization.

Mr. ARENS. I want to invite your attention to a matter here. I don't want to be in a debate with you on this subject, but you have stated that you are not a Communist.

Mrs. TAYLOR. That is true.

Mr. ARENS. And you have never been a Communist?

Mrs. TAYLOR. That is true.

Mr. ARENS. You recognize that the only basis upon which you can invoke the fifth amendment is that you fear, honestly, that you might be subjected to some kind of a criminal proceeding by giving a truthful answer. Do you understand that?

Mrs. TAYLOR. I do, Mr. Chairman.

Mr. ARENS. Then tell us, who are the officers of the United Cultural Association.

Mrs. TAYLOR. Mr. Chairman, I decline under the protection of the fifth amendment.

Mr. ARENS. Mr. Chairman, in view of the status of this record, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. TAYLOR. Mr. Chairman, I still decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Who is the president of the United Cultural Association?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Do you receive any compensation for being Recording Secretary of the United Cultural Association, any money? Are you paid for it?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. TAYLOR. I still decline to answer the question under the protection of the fifth amendment.

Mr. ARENS. Are you presently identified with the United Cultural Association?

Mrs. TAYLOR. I gave you my answer that I was a member of the association.

Mr. ARENS. And you also said you were recording secretary?

Mrs. TAYLOR. I did.

Mr. ARENS. Are you now recording secretary?

Mrs. TAYLOR. Mr. Chairman, I am.

Mr. ARENS. And do you receive pay for your work as recording secretary?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question, as I did before, under the protection of the fifth amendment.

Mr. ARENS. How much time do you devote in the course of an average month to the work of the United Cultural Association as recording secretary?

Mrs. TAYLOR. I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. In view of the status of this record, and this witness is being represented by counsel, there is no reason in the world why she shouldn't answer that question. I respectfully suggest, Mr. Chairman, that she be directed and ordered to answer that question.

Mr. WILLIS. You are directed to answer that question.

Mrs. TAYLOR. Under the protection of the fifth amendment, I decline to answer that question.

Mr. ARENS. How long have you been recording secretary?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I want the record to be perfectly clear. You have volunteered the statement that you are recording secretary or were recording secretary of the United Cultural Association. I want you now to tell this committee, while you are under oath, the period of your service as recording secretary.

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. TAYLOR. Mr. Chairman, the same answer, I decline to answer under the protection of the fifth amendment.

Mr. ARENS. When were you last at the headquarters of the United Cultural Association?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Have you discussed with any persons known by you to be Communists your appearance here today?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Have you been identified with the Progressive Party?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I have.

Mr. ARENS. Were you on the National Committee of the Progressive Party?

Mrs. TAYLOR. Mr. Chairman, I was a member of the National Committee of the Progressive Party.

Mr. ARENS. Over what period of time?

Mrs. TAYLOR. Until the party was no longer.

Mr. ARENS. Give us just an estimate of your best recollection as to the period of time which you were on the National Committee of the Progressive Party.

Mrs. TAYLOR. I would have to be able to find records to show when I was elected to the National Committee, and I could not say definitely that I know what time that I was elected to the National Committee.

Mr. ARENS. Were you also State housing chairman of the National Association for the Advancement of Colored People?

Mrs. TAYLOR. Mr. Chairman, I was.

Mr. ARENS. And did you, in that capacity, sign a statement protesting the trial of the 12 Communist leaders?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Williams is going to display to you now a photostatic copy of the Communist Daily Worker of February 15, 1949 (p. 6), in which you are listed as one of the persons protesting the trial of the 12 Communist traitors.

Look at that and see if it refreshes your recollection.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 1" and filed for information of committee.)

Mr. ARENS. Have you had sufficient time to refresh your recollection?

Mrs. TAYLOR. Mr. Chairman, would you repeat the question?

Mr. ARENS. The question is are you properly identified there as one of the people who protested the trial of the Communist traitors?

Mrs. TAYLOR. What was your question prior to that?

Mr. ARENS. That was the question.

Mrs. TAYLOR. No, you asked me something about housing chairman, and as housing chairman of an organization did I make this protest.

Mr. ARENS. Yes.

Mrs. TAYLOR. What was I housing chairman of?

Mr. ARENS. It says in that article housing chairman for the National Association for the Advancement of Colored People.

Mrs. TAYLOR. And as the housing chairman of the National Association for the Advancement of Colored People, you ask me did I send this protest?

Mr. ARENS. Yes.

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Williams is going to display to you another exhibit. That is a photostatic copy of the Communist Daily Workers of November 4, 1949 (p. 5). This article lists a number of people who are demanding bail for the 11 Communist traitors, including one Pauline Taylor, who denounces the court for refusing to bail these 11 Communist traitors. Please look at that article and see if that correctly attributes the statement to you, and if you were one of those who participated in that movement.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 2" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Have you ever traveled abroad?

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. TAYLOR. Mr. Chairman, I still decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Williams is going to display to you a passport application and a passport. First the passport application of yourself to make a trip to England in October of 1950. You state there the purpose of the trip is to attend the World Peace Congress in England. The length of the stay was to be about 2 months. Please look at that passport application and that passport, and tell us whether or not that is your signature and whether or not that passport was issued to you.

(The witness conferred with her counsel.)

(Documents marked "Taylor Exhibit No. 3" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you did go to the World Peace Congress on this passport in 1950. Where else did you go while you were in Europe besides England?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Did you go to Russia?

Mrs. TAYLOR. I decline to answer that question under the protection of the fifth amendment, Mr. Chairman.

Mr. ARENS. Did you visit the Soviet Union back in 1950 and 1951?

Mrs. TAYLOR. I decline to answer that question under the protection of the fifth amendment, Mr. Chairman.

Mr. ARENS. I want to invite your attention now to a document (p. 8, Daily People's World, April 17, 1951), which we have marked as an exhibit. Mr. Williams will display it to you.

A NEGRO WOMAN TELLS OF VISIT TO THE U. S. S. R.

Mrs. Pauline Taylor, Negro woman leader of the Ohio Women for Peace, spoke here recently under the auspices of the Progressive Party.

She was a delegate to the Second World Peace Conference in Warsaw and later toured the Soviet Union at the invitation of the Soviet Peace Committee—

and so forth.

Look at this document and see if it refreshes your recollection with reference to your visit to the Soviet Union, after you told your Government you just wanted to make a little trip over to England in 1950.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 4" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. You weren't quite fully frank with the State Department when you told them in 1950 you were going to take a trip to England when you got that passport, were you?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. The truth is, you knew all the time you were going to Moscow, to the Kremlin, didn't you?

Mr. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Williams is now going to display to you a publication, Americans in the U. S. S. R., a Message From the People of Stalingrad, in which a number of people are quoted, telling how wonderful everything is over in Soviet Russia, how every ideology and the viewpoint over there is so fine and splendid to the uplift of humanity; that no one can ever tell you, the authors of this article, because you have seen from firsthand experience.

Now while you are under oath, look at that and tell this committee and the United States Congress whether or not you were one of the authors of that article. Notice the name there on the article, Pauline Taylor. She is one of the authors of that article, issued from Moscow. Why don't you tell this committee while you are under oath whether or not you are the author of that article?

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 5" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer the question under the protection of the fifth amendment.

Mr. ARENS. Did you ever hear of a Communist who was not actually a member of the party, but was under party discipline so he could be used by the party and not be easily exposed? Did you ever hear of that technique?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. That pretty well describes you, does it not, as one who is under Communist Party discipline and control, and serves the will and the purpose of the Party, but would not actually carry a membership card or actually be listed as a member. Doesn't that pretty well describe you?

Mrs. TAYLOR. I decline to answer that question under my rights under the fifth amendment, Mr. Chairman.

Mr. ARENS. Mr. Williams is going to display to you still another exhibit. It is a report to the membership by the board and officers of the National Council of American-Soviet Friendship, April 25, 1952. One of the persons identified as a member of the council of this Communist-controlled organization, the American-Soviet friendship society, in 1952, is Pauline Taylor, identified further as a member of the board of directors of this organization, Youngstown, Ohio.

Look at that and, while you are under oath, verify the authenticity of that designation of yourself and connect it with that Communist-controlled organization.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 6" and filed for information of committee.)

Mr. ARENS. While she is doing that, Mr. Chairman, I respectfully request that the record reflect the citation of the Council of American-Soviet Friendship by all Government agencies as the principal front for all things Russian and subversive and Communist, which appear in the official citation of the Government.

Mr. WILLIS. The record will reflect the citation.

NATIONAL COUNCIL OF AMERICAN-SOVIET FRIENDSHIP (*see also* American-Soviet Science Society)

1. Cited as subversive and Communist.
   (*Attorney General Tom Clark, letters to Loyalty Review Board, released December 4, 1947, and September 21, 1948.*)
2. "In recent months, the Communist Party's principal front for all things Russian has been known as the National Council for American-Soviet Friendship."
   (*Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 156.*)
3. Cited as specializing in pro-Soviet propaganda.
   (*Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.*)
4. Found to be a "Communist-front organization" and ordered to register as such with the Attorney General of the United States.
   (*Subversive Activities Control Board, Decision of February 7, 1956.*)

Mr. ARENS. Will you kindly answer the question?

Mrs. TAYLOR. Answer what question, Mr. Chairman?

Mr. ARENS. Were you a member of the board of directors of the National Council of American-Soviet Friendship?

Mrs. TAYLOR. I decline to answer that question.

Mr. ARENS. Let me show you a letter of the National Council of American-Soviet Friendship, which lists one of the board of directors as Pauline Taylor, as of March 25, 1954.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 7" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Now I have in my hand a photostatic copy of the Communist Daily Peoples World of December 22, 1955 (p. 6), in which an article appears respecting a number of people who have signed an appeal to the Subversive Activities Control Board to suspend hearings on the California Labor School, which, as we all know, is a Communist enterprise. Among the people who are protesting the activity of the Subversive Activities Control Board is one Pauline Taylor, of Youngstown, Ohio. Please look at that and see if that refreshes your recollection.

(Document marked "Taylor Exhibit No. 8" and filed for information of committee.)

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question on the basis of the protection of the fifth amendment.

Mr. ARENS. Who is Holland Roberts?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Who is Mrs. Dorothy Boswell?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I have a letter here I would like to read, and see if it might refresh your recollection. It is a letter dated June 15, 1951, from Holland Roberts, director of the California Labor School, Inc., San Francisco, Calif., addressed to Mrs. Dorothy Boswell, 357 St. Louis Avenue, Youngstown, Ohio.

DEAR MRS. BOSWELL: My cordial thanks to you for the opportunity to send the enclosed greetings for the testimonial dinner for Mrs. Pauline Taylor, of Youngstown, on her birthday.

During our work together on the Second World Peace Congress at Warsaw and on our trip together in the Soviet Union, I came to admire and respect her as one of the ablest women fighters for freedom and democracy I have ever known. It is an honor to join you in paying tribute to her.

Yours sincerely for peace,

HOLLAND ROBERTS, *Director*.

P. S.—I have inscribed a copy of the brief report of our delegation, Seeing Is Believing, to her, and I am enclosing another for you.

Look at that, please, and tell this committee whether or not that refreshes your recollection with respect to the testimonial dinner given for you, and also whether it refreshes your recollection of your activities in Warsaw and in the Soviet Union with Holland Roberts of the California Labor School.

(Document marked "Taylor Exhibit No. 9" and filed for information of committee.)

(The witness conferred with her counsel.)

Mrs. TAYLOR. Mr. Chairman, I will decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Have you been with this United Cultural Association ever since it was formed?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I have the articles of incorporation, the State of Ohio, of the United Cultural Association, listing the first incorporators: Spiridon Comanita, Eli Nadrich, Theodore Panchak, and Pauline Taylor. Look at this and tell us whether or not you were one of the

incorporators, whether or not these official articles of incorporation refresh your recollection with respect to your participation in the starting of this organization.

(The witness conferred with her counsel.)

(Document referred to was previously incorporated into the record by reference and is designated "Comanita Exhibit No. 1".)

Mrs. TAYLOR. Mr. Chairman, I will decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. What have you done in the course of the last few years to avoid hysteria in deportation proceedings?

Mrs. TAYLOR. Mr. Chairman, I will decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. You do a little traveling around, don't you, in the United States, in addition to your travels abroad?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. In 1949, did you go to New York City for a little session of the American Committee for Protection of Foreign Born, on a National Conference Against Deportation Hysteria?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. I have here in my hand a document which will shortly be displayed to you by Mr. Williams. It is the summary proceedings of the National Conference Against Deportation Hysteria, held in Detroit, Mich., December 3 and 4, 1949, in which a Pauline Taylor, of Youngstown, Ohio, is identified as one of the leaders of the credentials committee, one of the leaders of the entire conference, as is evident by this report of the conference session itself.

Please look at this document now and tell us of your participation in this national conference to end deportation—and I say it parenthetically—of Communist traitors.

(The witness conferred with her counsel.)

Mr. ARENS. I invite your attention particularly to page 7 of that document that is before you now, in which you are listed as one of the board of directors of the National Committee of the American Committee for Protection of Foreign Born, which is the oldest Communist front in the United States and one of the most powerful.

(The witness conferred with her counsel.)

Mr. ARENS. You will observe in that document that you are also identified as representing the United Cultural Association of Youngstown, Ohio, in this conference to protest the hysteria and deporting of Communist traitors. I say that latter part only parenthetically.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 10" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I will decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Now we have here a document, which is the proceedings of the conference here in Ohio to establish a committee for the protection of foreign born in Ohio, under the auspices of the Ohio Provisional Committee for Protection of Foreign Born. We see here in the course of proceedings, and Mr. Williams will now display it to you, that Jerome Land makes a speech, and he says, "I

give you Mrs. Pauline Taylor, a beloved native of Ohio, and a civic leader in our city of Youngstown" and then you made a speech. Please look at that document and tell us whether or not it refreshes your recollection in reference to your participation in this front of the American Committee for Protection of Foreign Born, which was created here in the State of Ohio for the purpose of protesting and interfering in the deportation of Communist traitors from this land.

(The witness conferred with her counsel.)

(Document marked "Taylor Exhibit No. 11" and filed for information of committee.)

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Are you at the present time under Communist Party discipline?

Mrs. TAYLOR. Mr. Chairman, I decline to answer that question under the protection of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness will be excused.

Mr. ARENS. Is Mr. Ben Blumenthal in the courtroom?

Mr. Blumenthal, will you kindly resume the witness stand?

Mr. Blumenthal? Will you kindly resume the witness chair, please?

TESTIMONY OF BEN BLUMENTHAL—Resumed

Mr. ARENS. Mr. Blumenthal, you have previously been sworn on this record?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. You are represented now and have present with you your counsel, who has previously identified himself on this record?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. Mr. Blumenthal, in the course of your testimony earlier this afternoon, you stated that you had been a Communist; is that correct?

Mr. BLUMENTHAL. Yes, sir.

Mr. ARENS. I now ask you to name on this record persons who were known by you, while you were a Communist, to be Communists.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, I would like to plead the fifth amendment and I would also like to make an explanation.

Mr. ARENS. Did you say you are going to invoke the fifth amendment?

Mr. BLUMENTHAL. Before I do I would like to make an explanation, sir, if I could.

Mr. ARENS. You may proceed.

Mr. BLUMENTHAL. What I have admitted is solely to myself, sir, and I am ready and willing to take all consequences for whatever I have done. But I cannot find myself more conscious or right to point a finger at anyone and say they were such and such. They were probably believing that whatever they were doing was right, just like I was, when I was. And I believe fully that he who has not sinned should throw the first stone, and I don't feel myself in that position, that I would point out anybody, sir, no matter what I have to pay for my own penalties.

Mr. ARENS. Would you testify in a murder case against a murderer whom you saw kill your daughter or kill your son?

Mr. BLUMENTHAL. I would.

Mr. ARENS. Haven't you arrived at a point where you know that the Communist Party is not a legitimate party, but that it is a conspiratorial apparatus?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, I am out of the party connection for a period of 5 or 6 years; and at the time when I was in there, to my knowledge, sir, I did not participate in any such conspiracies or wouldn't.

Mr. ARENS. You didn't answer the question. Is the Communist Party a conspiratorial apparatus, on the basis of your background, experience, and knowledge?

(The witness conferred with his counsel.)

Mr. MOCK. Would you repeat the question?

Mr. ARENS. Read the question, please.

(The reporter read from his notes as requested.)

Mr. BLUMENTHAL. During the period when I was working in my Jewish work in Youngstown, sir, I did not have any experience that they were designing, or as a result that I would be doing the same thing, for the overthrow of the United States.

Mr. ARENS. Do you now know that the Communist Party is a conspiratorial apparatus, in view of the disclosures by congressional committees, and the findings by Government agencies and the convictions of people under the Smith Act as traitors, and by decisions of the courts?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Could the question be repeated, again, sir?

Mr. ARENS. Do you now know, in view of the recitation that I have just made, do you now know that the Communist Party is a conspiratorial apparatus?

Mr. BLUMENTHAL. I take the decision of the United States courts——

Mr. ARENS. Just answer the question. Do you know whether it is a conspiratorial apparatus or not?

Mr. BLUMENTHAL. I have been away from it for 6 years, sir, and I don't know what it is doing.

Mr. ARENS. I don't mean now from the standpoint of personal experience. We are away from that for a moment. Are you now convinced that the Communist Party, as of now, this moment, is a conspiratorial apparatus?

Mr. BLUMENTHAL. Well, from the time that the party——

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. From my own personal experience, sir, I do not know.

Mr. ARENS. I didn't ask you that.

Mr. BLUMENTHAL. That is the only honest answer I can give you.

Mr. ARENS. Are you convinced now that the Communist Party is a conspiratorial apparatus?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Well, I got out of the party because——

Mr. ARENS. I didn't ask you that. Please tell us whether or not you now are convinced the Communist Party is a conspiratorial appa-

ratus. If you are convinced, say you are convinced. If you are not convinced, say you are not convinced, and that will end the question.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, I don't know, sir. I can only tell you from my experience, and I have quit reading and associating, and I could not tell you honestly about this thing. I take for granted whatever the decision of the United States Government is. I will go along with it a hundred percent, sir.

Mr. ARENS. How much money did you contribute to the Communist Party during the course of your membership in the party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Does this question cover a period of a year, 2 years, 5 years, or just what?

Mr. ARENS. During the entire period of your membership. Did you contribute several thousand dollars, or was it an inconsequential amount, or what is your best estimate of the amount you contributed?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. To the best of my knowledge, sir, most drives for money were mostly for the Daily Worker or the press, and I don't have any recollection specifically to giving money to the Communist Party, as such.

Mr. ARENS. Your contributions went to front organizations; is that correct?

Mr. BLUMENTHAL. I have made contributions to the Daily Worker when they were having drives.

Mr. ARENS. Give us an estimate of the contributions made.

Mr. BLUMENTHAL. Maybe $25 or $35 a year, or something like that.

Mr. ARENS. Now, could you tell us of the activities of any persons known by you to be Communists, which activities were in the propaganda field of the Communist Party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Do I know of anyone in the propaganda field?

Mr. ARENS. Yes; who was engaged in Communist propaganda. I may say the reason I am inquiring now is that one of the projects of this committee, one of the areas in which we are intensely developing information, is information on Communist propaganda. So will you tell us now, who, to your certain knowledge, while you were in the Communist Party, was a comrade engaged in disseminating or creating or developing Communist propaganda in this area.

Mr. BLUMENTHAL. Sir, for the last 5 or 6 years, I haven't contact with anyone that I know would do any such work.

Mr. ARENS. I mean during the period of your membership in the party.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I don't remember details enough, sir, and I even want to reach a point, even at harm to myself, sir, that I do not wish to point a finger toward anyone, as I wouldn't want them to point it against me, but they could. I feel that I am ready to take the consequences for my errors but am not going to throw a stone to other people——

Mr. ARENS. Well, do you know people who, to your certain knowledge, were Communists, who were engaged in Communist propaganda activities in this community during your membership in the Com-

munist Party? I don't know how I can make the question any plainer.

Mr. BLUMENTHAL. Sir, when I was a member, I was no doubt engaging in it myself.

Mr. ARENS. Please answer the question. Do you now know the names of people who, to your certain knowledge, were Communists while you were in the Communist Party, and who were engaged in propaganda work for the Communist Party? Don't avoid the question. Don't evade it. Answer it. Do you know those people? I am not, in this question, asking you their names. It is just do you know people in that category?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I don't know of anyone in particular that would stand out in this particular field, from my experience.

Mr. ARENS. Do you know people who were Communists, to your certain knowledge, while you were in the Communist Party, who were engaged in any Communist activity designed to thwart the legislative efforts of the Congress to deal with the Communist Party?

Mr. BLUMENTHAL. I don't know, sir.

Mr. ARENS. Who is the Communist who contacted you since you received your subpena to appear before this committee?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, my contact was purely on the basis of whether I was called for a hearing.

Mr. ARENS. And who was it that called you?

Mr. BLUMENTHAL. That would be, again, pointing against people, sir, and I am afraid I will have to decline to do so.

Mr. ARENS. Was it by a telephone conversation?

Mr. BLUMENTHAL. No, it was by a visit in my home.

Mr. ARENS. Where was the visit?

Mr. BLUMENTHAL. In my home, sir.

Mr. ARENS. When was the visit?

Mr. BLUMENTHAL. Just last week.

Mr. ARENS. In the evening?

Mr. BLUMENTHAL. Yes.

Mr. ARENS. Was the person who called on you a person whom you knew as a Communist when you were in the Communist Party?

Mr. BLUMENTHAL. I couldn't say for sure, sir. My relationship was strictly a very limited one, so far as it went.

Mr. ARENS. Tell us, what was the essence of the conversation that transpired between you and the person.

Mr. BLUMENTHAL. It was with relation to whether I was called.

Mr. ARENS. I didn't understand you.

Mr. BLUMENTHAL. With relation to whether or not I was called for a hearing, and I was perturbed, and I said, "Yes, I was called for a hearing," and then regarding any legal procedures, and I told them that I had my own attorney, and I am confident, and I am going to work closely with my attorney.

Mr. ARENS. What else transpired in this conversation?

Mr. BLUMENTHAL. That is all, sir.

Mr. ARENS. And who was this person who called on you?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I claim the privilege of taking the fifth amendment in not answering the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I decline to answer, sir, on the same ground.

Mr. ARENS. Has that person contacted you since this conversation in your home?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. No.

Mr. ARENS. Did you know Sidney Rackoff as a member of the Communist Party?

Mr. BLUMENTHAL. From personal experience; no, sir.

Mr. ARENS. Did you know Andy Bathory as a member of the Communist Party?

Mr. BLUMENTHAL. No, sir, I did not.

Mr. ARENS. Did you know Comanita as a member of the Communist Party?

Mr. BLUMENTHAL. I knew him as a member of the International Workers Order, sir.

Mr. ARENS. Did you know him as a member of the Communist Party?

Mr. BLUMENTHAL. Not that I could say for sure, sir.

Mr. ARENS. Did you know Elmer Grandstaff as a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. Sir, under my rights under the fifth amendment, I decline to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. WILLIS. I direct you to answer the question.

Mr. ARENS. Did you know Sak Levin as a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BLUMENTHAL. I decline to answer on the basis of the same fifth amendment.

Mr. ARENS. Who, to your certain knowledge, in the United Cultural Association, in the offices of the United Cultural Association, were Communists during your connection with that organization?

Mr. BLUMENTHAL. I wouldn't know, sir. My connection with it was so very short, outside of the fact that I have bought a share through Mrs. —— through their attorney.

Mr. ARENS. Did you make any contribution toward the purchase of the United Cultural Association establishment here?

Mr. BLUMENTHAL. I have an investment of $250 in the home.

Mr. ARENS. At the present time?

Mr. BLUMENTHAL. That is what I gave at that time.

Mr. ARENS. You have a stock certificate for that?

Mr. BLUMENTHAL. I don't remember that I did.

Mr. ARENS. To whom did you give the $250?

Mr. BLUMENTHAL. I think it was to their attorney at a gathering one evening, when this thing was organized.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until tomorrow morning at 10 o'clock. The committee at that time will continue its series of hearings on Communist Political Subversion which began in Washington, D. C., on November 12.

(Whereupon, at 5: 45 p. m., Tuesday, November 27, the hearing was recessed, to reconvene at 10 a. m., Wednesday, November 28, 1956.)

(Members present at the taking of the recess: Representatives Willis and Velde.)

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